

1021. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of its activities and expenditures for the month of July 1945; to the Committee on Banking and Currency.

1022. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XXII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. VINSON: Committee on Naval Affairs. House Joint Resolution 307. Joint resolution to authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels; with amendment (Rept. No. 1514). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN of South Carolina: Committee on the District of Columbia. H. R. 5060. A bill to amend section 1 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924; without amendment (Rept. No. 1515). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOREN: Committee on Interstate and Foreign Commerce. H. R. 2764. A bill to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle; with amendment (Rept. No. 1516). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN of New York:

H. R. 5327. A bill to provide for the display in the lobbies of post offices of placards containing certain information with respect to the legislative representatives of the people; to the Committee on the Post Office and Post Roads.

By Mr. VOORHIS of California:

H. R. 5328. A bill to provide additional facilities for the mediation and peaceful settlement of labor disputes, and for other purposes; to the Committee on Labor.

By Mr. MANASCO:

H. R. 5329. A bill to amend the Surplus Property Act of 1944 with reference to veterans' preference, and to the disposal agency for surplus property outside the United States; to the Committee on Expenditures in the Executive Departments.

By Mr. PRICE of Illinois:

H. R. 5330. A bill to make imported beer and other similar imported fermented liquors subject to the internal-revenue tax on fermented liquor; to the Committee on Ways and Means.

By Mr. KOPPLEMANN:

H. R. 5331. A bill to provide for the performance of military duties by the Marine Corps in connection with the occupation of conquered territories; to the Committee on Naval Affairs.

By Mrs. LUCE:

H. R. 5332. A bill to create a Department of Science and Research; to the Committee on Expenditures in the Executive Departments.

By Mr. LYLE:

H. R. 5333. A bill to create a board of research and investigation of matters relat-

ing to the armed forces; to the Committee on Military Affairs.

By Mr. HOFFMAN:

H. R. 5334. A bill to repeal the National Labor Relations Act and to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes; to the Committee on Labor.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 5335. A bill for the relief of the Cannon Valley Milling Co.; to the Committee on Claims.

By Mr. BALDWIN:

H. R. 5336. A bill for the relief of Max M. Breslow; to the Committee on Claims.

By Mr. BUFFETT:

H. R. 5337. A bill for the relief of Kazue Oda Takahashi; to the Committee on Immigration and Naturalization.

By Mr. DEWART:

H. R. 5338. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Edwin T. Jensen; to the Committee on Indian Affairs.

H. R. 5339. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Lester W. Zimmerman; to the Committee on Indian Affairs.

H. R. 5340. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Robert B. Zimmerman; to the Committee on Indian Affairs.

H. R. 5341. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Virgil L. Buchanan; to the Committee on Indian Affairs.

H. R. 5342. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Everett Shanks; to the Committee on Indian Affairs.

H. R. 5343. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Joe E. Damson; to the Committee on Indian Affairs.

H. R. 5344. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Ernest I. Stensland; to the Committee on Indian Affairs.

H. R. 5345. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Arnold E. Payne; to the Committee on Indian Affairs.

By Mr. FENTON:

H. R. 5346. A bill authorizing the naturalization of Arnold Szelezcky, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. HART:

H. R. 5347. A bill conferring jurisdiction upon the Court of Claims to hear and determine the claim of Auf der Heide-Aragona, Inc., and certain of its subcontractors against the United States; to the Committee on Claims.

By Mr. KEE:

H. R. 5348. A bill for the relief of F. M. Peters and J. T. Akers; to the Committee on Claims.

H. R. 5349. A bill for the relief of Charles F. Barrett; to the Committee on Claims.

By Mr. KILDAY:

H. R. 5350. A bill for the relief of Mrs. Elfrieda Sakowsky Passant, alias Elfrieda Sakowsky, alias Elfrieda Pogue; to the Committee on Immigration and Naturalization.

By Mr. MANSFIELD of Texas:

H. R. 5351. A bill for the relief of Charles Booker; to the Committee on Claims.

By Mr. PFEIFER:

H. R. 5352. A bill for the relief of Joseph Ippolito; to the Committee on Claims.

By Mr. ROBINSON of Utah:

H. R. 5353. A bill to authorize the Secretary of War to convey certain lands situated within the Fort Douglas Military Reservation to the Shriners' Hospitals for Crippled Children; to the Committee on Military Affairs.

#### PEITITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1513. By Mr. GRAHAM: Petition of the Fulton C. Smith Post, No. 165, Veterans of Foreign Wars, of Ambridge, Beaver County, Pa., urging unemployment benefits to veterans under present strike conditions; to the Committee on World War Veterans' Legislation.

1514. Also, petition of 380 veterans of World War II, residents of Ambridge, Beaver County, Pa., urging amendment of the GI bill of rights to allow unemployment benefits to veterans under present strike conditions; to the Committee on World War Veterans' Legislation.

1515. By Mr. GRIFFITHS: Petition of Rhea Starr and members of Farm Bureau of district No. 4, Guernsey County, Ohio, opposing any change in present laws relating to the taxing of cooperatives; to the Committee on Ways and Means.

1516. By Mr. THOMAS of New Jersey: Petition of the Warren County, N. J., Board of Agriculture, registering their opposition to the construction of the proposed ship canal across the State of New Jersey; to the Committee on Interstate and Foreign Commerce.

1517. Also, petition of the board of directors of the United States Junior Chamber of Commerce, in session November 4, 1945, recommending that hospitalized veterans may, while convalescing, accept payment for their work in various trades, arts, and crafts; to the Committee on World War Veterans' Legislation.

1518. By Mr. THOMASON: Petition of J. C. and Clayton Williams, opposing the making of a loan to Great Britain; to the Committee on Foreign Affairs.

## SENATE

MONDAY, FEBRUARY 4, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, author of liberty, who hath made and preserved us a nation, may there be forever cherished in this shrine of freedom, and therefore be found in us who are here called to serve the Republic, those spiritual values which alone can bring order out of chaos and peace out of strife. May the shield of our own unyielding integrity be always lifted against the arrows of all that shuns the light and against all betrayal of justice and righteousness in a time when the world's hopes depend on character. In Thy providence for all the world may this "sweet land of liberty," with all its privilege and power, be the quarry where shall be fashioned the white stones of a new order whose "alabaster cities shall gleam undimmed by human tears." We ask it in the dear Redeemer's name. Amen.

## ATTENDANCE OF SENATORS

HUGH B. MITCHELL, a Senator from the State of Washington; E. H. MOORE, a Senator from the State of Oklahoma; and JAMES M. TUNNELL, a Senator from the State of Delaware, appeared in their seats today.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Overton
Austin	Hayden	Pepper
Bailey	Hickenlooper	Radcliffe
Bali	Hill	Reed
Bankhead	Hoey	Revercomb
Barkley	Huffman	Robertson
Elbo	Johnson, Colo.	Russell
Briggs	Johnston, S. C.	Saltonstall
Bushfield	Kilgore	Shipstead
Butler	Knowland	Smith
Byrd	La Follette	Stanfill
Capehart	Langer	Stewart
Capper	Lucas	Taft
Chavez	McCarran	Taylor
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McKellar	Tobey
Eastland	McMahon	Tunnell
Ellender	Maybank	Tydings
Ferguson	Mead	Walsh
Fulbright	Millikin	Wheeler
George	Mitchell	Wherry
Gerry	Moore	White
Gossett	Morse	Wiley
Green	Murdock	Willis
Guffey	Murray	Wilson
Gurney	Myers	Young
Hart	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Nevada [Mr. CARVILLE] are necessarily absent.

The Senator from Washington [Mr. MAGNUSON] is detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], and the Senator from New Jersey [Mr. HAWKES] are necessarily absent.

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

## TRANSACTION OF ROUTINE BUSINESS

Mr. STEWART obtained the floor.

The PRESIDENT pro tempore. Before anything else is done, may the Chair ask that certain ordinary reports and

routine matters be handed down and made of record? The Chair may also state there is other routine business which, if there is no objection, might be transacted at this time.

By unanimous consent, the following routine business was transacted:

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

## REPORT ON INSPECTION OF COAL MINES

A letter from the Secretary of the Interior, transmitting, pursuant to law, his report on the inspection of coal mines by the Bureau of Mines for the fiscal year 1945 (with an accompanying report); to the Committee on Mines and Mining.

## JULY 1945 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the Corporation on its activities and expenditures for the month of July 1945, including statement of loans and other authorizations, showing the name, amount, and rate of interest or dividend in each case (with accompanying papers); to the Committee on Banking and Currency.

## REPORT OF FEDERAL WORKS AGENCY

A letter from the Administrator of the Federal Works Agency, transmitting, pursuant to law, the sixth annual report of that agency for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Education and Labor.

## REPORT OF UNITED STATES PUBLIC HEALTH SERVICE

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the annual report of the United States Public Health Service for the fiscal year 1945 (with an accompanying report); to the Committee on Finance.

## REPORT ON CERTAIN ACTION BY WAR SHIPPING ADMINISTRATION

A letter from the Acting Administrator of the War Shipping Administration, transmitting, pursuant to law, the twelfth report of certain action taken by the War Shipping Administration under section 217 of the Merchant Marine Act of 1936, as amended (with an accompanying report); to the Committee on Commerce.

## BOARD OF VISITORS TO UNITED STATES MERCHANT MARINE ACADEMY

A letter from the Acting Administrator of the War Shipping Administration, reporting, pursuant to law, that Friday, May 10, and Saturday, May 11, 1946, had been fixed as the dates for the visit of the Board of Visitors to the United States Merchant Marine Academy at Kings Point, N. Y.; to the Committee on Commerce.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of South Carolina; ordered to lie on the table.

"Concurrent resolution memorializing the Congress of the United States to discontinue the practice of the Fair Employment Practice Commission

"Be it resolved by the House of Representatives of the State of South Carolina (the senate concurring), That it is the sense of the general assembly of this State that the objects of the Fair Employment Practice Commission are un-American and contrary to the spirit of free enterprise in that they tend to

destroy individual initiative, adaptability, efficiency, and freedom in the selection of employees and substitute therefor the individual whims of a certain group, race, color, and creed; hence, we regard the practice as contrary to the spirit of our Federal Constitution, and respectfully petition the Senators of all sovereign States to kill the bill now pending in the Federal Congress which would continue the practices of the Commission.

"We laud the high and constant purpose which moves the Honorable BURNET R. MAYBANK and the Honorable OLIN D. JOHNSTON, the distinguished Senators from this State, and all others allied with them in their unabated opposition to the practice sought to be imposed on the American people by the continuance of such a Commission; be it further

"Resolved, That copies of this resolution be furnished the clerk of the Senate of the United States, the clerk of the House of Representatives, and the two distinguished Senators from South Carolina.

"COLUMBIA, S. C., January 31, 1946."

A resolution adopted by the Territorial Central Committee of the Democratic Party of Hawaii, Honolulu, T. H., favoring the reappointment of Louis Le Baron as Associate Justice of the Supreme Court, Territory of Hawaii; to the Committee on the Judiciary.

A resolution adopted by the Territorial Central Committee of the Democratic Party of Hawaii, Honolulu, T. H., favoring the reappointment of Ingram M. Stainback as Governor of the Territory of Hawaii; to the Committee on the Judiciary.

By Mr. CAPPER:

A telegram in the nature of a memorial from Local Union 533, United Mine Workers of America, remonstrating against the enactment of the so-called fact-finding anti-strike bill; to the Committee on Education and Labor.

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of South Carolina, favoring the enactment of the joint resolution (H. J. Res. 225) to quiet the titles of the respective States, and others, to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles; to the Committee on Territories and Insular Affairs.

(See concurrent resolution printed in full when presented by Mr. MAYBANK on February 1, 1946, p. 693, CONGRESSIONAL RECORD.)

By Mr. MAYBANK:

A concurrent resolution of the Legislature of South Carolina; to the Committee on Finance.

"Concurrent resolution requesting the Congress of the United States to pass necessary amendments to the GI bill of rights whereby veterans in accredited schools shall receive monthly benefits for each calendar month until their graduation or severance from said school

"Whereas under the present GI bill of rights veterans who are students in accredited schools only receive benefits for themselves and their dependents during the actual school term; and

"Whereas these veterans have no opportunity to earn a decent livelihood during their vacation period; and

"Whereas the housing situation is so acute that married veterans are unable to change their residence after entering the school: Now, therefore, be it

"Resolved by the House of Representatives of the State of South Carolina (the Senate concurring), That it is the sense of the General Assembly of South Carolina that Congress be, and the same is hereby, memorialized to effect immediate amendments to the GI bill of rights so that all veterans who matriculate in institutions accredited by the Veterans' Administration shall receive monthly benefits for themselves and, in those



cases where they have dependents, for such dependents, for each and every calendar month until their graduation from such accredited institution or school, or until they sever their connection with such institution or school by ceasing to be students of the same; be it further

"Resolved, That a copy of this resolution be sent to each of the Representatives in Congress from South Carolina, the President of the Senate of the United States, the chairman of the Judiciary Committee and the Military Affairs Committee of the United States Senate, to the Speaker of the House of Representatives, and a copy to the Judiciary Committee and Military Affairs Committee of the House of Representatives, and a copy to the Veterans' Administration.

"COLUMBIA, S. C., January 30, 1946."

#### RESOLUTIONS OF AMERICAN FARM BUREAU FEDERATION

Mr. CAPPER. Mr. President, I received copy of resolutions adopted by the American Farm Bureau Federation at their recent annual meeting in Chicago, in which they take an emphatic stand against compulsory military training in peacetime, and make known their position on other national measures, as follows:

Supported the United Nations Organization, Bretton Woods monetary agreements, International Food and Agriculture Organization.

Recommended study of the maintenance of an international organization "for the effective enforcement of peace," with powers "adequate to cope with the threat of destruction by the use of atomic bombs," without surrendering sovereignty of respective nations.

Recommended study of the advisability of an international police force supported by all nations as a means of insuring peace.

Favored long-term capital loans to other nations to increase productive and consumptive capacities of countries involved, to the largest practical extent by private capital with the Government supplementing only when private capital is not available. (However, this resolution said there are condi-

tions, "such as the present loan to England, under which the long-time interest of this Nation is promoting world trade, maintaining desirable forms of government, and promoting our best international interest can be furthered by making direct governmental loans.")

The delegates also:

Asserted this Nation should furnish food and other necessities to devastated countries, with the cost considered as a war expenditure.

Recommended that the State Department and diplomatic staff be strengthened, with adequately trained personnel and policies designed to attract "outstanding ability into this important field."

Recommended that "this Nation place great emphasis upon the development of a clear-cut foreign policy on a nonpartisan basis."

Favored gradual reduction of international trade barriers.

Supported international commodity agreements and recommended expansion of this program.

Stated that "we believe the development of an aggressive foreign trade policy is one of the 'musts' of our postwar program."

On the national farm program itself, the delegates urged study of required improvements and modifications, including possible changes in commodity marketing; "unalterably opposed" unlimited production at ruinous prices which would "force the American farmer to depend permanently upon Government subsidies;" urged strengthening of the Agricultural Adjustment Act and related measures, and favored legislation to extend benefits of the Agricultural Marketing Agreements Act of 1937 to any agricultural commodity.

#### AMENDMENT OF FIRST WAR POWERS ACT—REPORT OF JUDICIARY COMMITTEE

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to report favorably with an amendment the bill (H. R. 4571) to amend the First War Powers Act, 1941,

#### EDUCATION AND LABOR COMMITTEE

name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of January 1946, in compliance with the terms

and I submit a report (No. 920) thereon. In that connection I wish to call the attention of the Senate to a letter from the Department of State, from which I read:

The Department welcomes this opportunity to reemphasize its strong endorsement of this bill. On June 29, 1945, the Acting Secretary of State joined with the Alien Property Custodian and the Attorney General in a letter to Chairman SUMNERS of the House Judiciary Committee submitting a draft of H. R. 3750, which dealt with the same subject matter as the present bill, H. R. 4571, and requesting as a matter of urgency its early and favorable consideration. On September 12, 1945, Mr. Willard L. Thorp, Deputy to the Assistant Secretary of State, repeated this recommendation before Subcommittee No. 1 of the House Judiciary Committee. The Secretary of State in a letter of October 12, 1945, to Mr. SUMNERS again gave the concurrence of the Department to H. R. 3750 and the amendments proposed by the Alien Property Custodian, which are embodied in H. R. 4571. As you know, H. R. 4571 was reported and approved by the House Judiciary Committee with these amendments and passed the House of Representatives on December 8, 1945.

Other expressions endorsing the bill are filed in the report from the Attorney General.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

#### PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of January 1946 from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
John W. Nelson.....	2745 29th St. NW., Washington, D. C.....	Department of Labor, Washington, D. C.....	\$5,600

JAMES E. MURRAY, Chairman.

#### SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Edelsberg, Herman.....	2141 Suitland Ter. SE., Washington, D. C.....	Foreign Economic Administration, Washington, D. C.....	\$7,175
Forbes, F. Preston.....	502 Four Mile Rd., Alexandria, Va.....	Commerce Department, Washington, D. C.....	7,175
Groeper, Stella J.....	1127 Branch Ave. SE., Washington, D. C.....	Reconstruction Finance Corporation, Washington, D. C.....	2,980
Soule, George H., Lt.....	4020 Beecher St. NW., Washington, D. C.....	Navy Department, Washington, D. C.....	2,400
Spicer, L. Evelyn.....	2815 Wisconsin Ave. NW., Washington, D. C.....	Reconstruction Finance Corporation, Washington, D. C.....	3,090
Steckman, Frederick W.....	4600 Cathedral Ave. NW., Washington, D. C.....	Maritime Commission, Washington, D. C.....	5,600
Strubel, Margie L.....	4632 12th St. NE., Washington, D. C.....	Reconstruction Finance Corporation, Washington, D. C.....	2,320
Thurman, Allen G.....	9729 Bexhill Dr., Rock Creek Hills, Md.....	Maritime Commission, Washington, D. C.....	7,175

JAMES E. MURRAY, Chairman.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KILGORE:

S. 1785. A bill for the relief of Clark Wiley; to the Committee on Claims.

By Mr. BUSHFIELD:

S. 1786. A bill authorizing the issuance of a patent in fee to Silas Eagle Elk; to the Committee on Indian Affairs.

By Mr. ROBERTSON:

S. 1787. A bill to provide for canceling certain interest on and postponing the time of payment of loans made by the United States to persons serving in the armed forces during the war; to the Committee on Military Affairs.

By Mr. McCARRAN:

S. 1788. A bill to provide for the admission of Alaska, the forty-ninth State; to the Committee on Territories and Insular Affairs.

S. 1789. A bill granting to the State of Nevada certain public lands in such State for the use and benefit of public institutions of the State; to the Committee on Public Lands and Surveys.

## LABOR FACT-FINDING BOARDS ACT—AMENDMENT

Mr. McMAHON. Mr. President, the Committee on Education and Labor has been conducting hearings on the Ellen der fact-finding bill, Senate bill 1661, and the Hatch-Ball amendment, which was submitted as a substitute.

I am informed that most of the witnesses—representatives of labor, management, and the public—have testified that the kind of legislation which most nearly fits the long-run need for adequate labor-disputes-settlement machinery is that embodied in the bill which I, together with the Senator from Arizona [Mr. HAYDEN], the Senator from Utah [Mr. THOMAS], and the Senator from Delaware [Mr. TUNNELL] introduced.

The bill grew out of an extended investigation, conferences, and meetings with a great number of public labor experts, industrial managers, and labor.

I conducted the meetings in private and without any publicity in order to give the participants the opportunity of freely expressing their honest and best judgment.

It is no wonder, therefore, that so many witnesses have approved the approach offered to the problem by S. 1419.

In order, therefore, that the committee may finally consider my approach to the solution of labor disputes, on behalf of the Senator from Arizona [Mr. HAYDEN], the Senator from Utah [Mr. THOMAS], the Senator from Delaware [Mr. TUNNELL], I ask unanimous consent to submit an amendment in the nature of a substitute to the bill, S. 1661, to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

There being no objection, the amendment in the nature of a substitute, was received, referred to the Committee on Education and Labor, and ordered to be printed.

## CONGRESSIONAL RETIREMENT SYSTEM

Mr. BANKHEAD. Mr. President, on June 19, 1939, I addressed the Senate on the subject of a congressional retirement system. My address appears in the CONGRESSIONAL RECORD of the Sev-

enty-sixth Congress, first session, in volume 84, part 7, beginning on page 7428. In connection with the address there was published an Appendix on Costs of Congressional Retirement Systems, which contains the results of an exhaustive research by Mr. Murray W. Latimer, Chairman of the Railroad Retirement Board, and his staff of assistants. The Appendix on Costs was printed as Senate Document No. 85, Seventy-sixth Congress, first session, and also appears in the CONGRESSIONAL RECORD immediately following my address. The view has been exhausted.

In view of the present renewed interest in that subject I ask unanimous consent to have printed in the body of the RECORD immediately following my remarks the address above described. I do that rather than use it as a time-killing program in opposition to the pending measure.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

## CONGRESSIONAL RETIREMENT SYSTEM

Mr. BANKHEAD. Mr. President, I desire to interrupt the discussion on gold devaluation for a short time for the purpose of submitting some remarks on a congressional retirement system.

For some time a group of Senators, together with some Members of the other House, have been thinking about the need for a retirement system for Members of Congress. Congress has made provision for the retirement, on income, of Federal employees in the civil service who become disabled or grow old while in the service. It has provided retirement benefits for the officers and men of the Army, the Navy, the Coast Guard. It has likewise taken care of the members of the Federal judiciary. Finally, it is now about to provide substantial benefits for many millions of the citizens of this country, just as legislation has been in effect making provisions for benefits, aggregating already more than \$150,000,000 to retired railroad men. The aggregate cost to the Federal Government for taking care of its own employees in the executive and judicial branches runs into many tens of millions of dollars annually. It is altogether natural that in considering the problems of so many millions of the citizens of this country Members of the Congress should stop for a minute or two to inquire whether or not it may be wholly justifiable to think about some of their own problems.

There have been times in this country when the Members of Congress were thought of as being a peculiarly fortunate group who drew a sizable salary without rendering therefor any very large amount of labor. I think that idea has pretty much disappeared. The very great amount of work which we are called upon to perform is now generally recognized. Indeed, I think that most people wonder how Congressmen can find time to answer the flood of mail from their constituents, sit at numerous committee hearings considering a large volume of important legislation, and become familiar with the great volume of other legislation arising in other committees and of equal importance to that considered by their own, in order to be able to pass judgment on it.

It is my opinion also that there is now a widespread recognition of the fact that the Members of the House and of the Senate have to bear many financial burdens which are far greater than those of ordinary citizens. We have election expenses. Most of us have the expense of maintaining more than one place of residence. Many of our constituents feel free to call upon us for services which

require expenditures of one sort or another on our own part. We do not need to remind ourselves that most of us come here in the prime of life. Because of the extraordinary demands on our time, we must cut loose from the associations and means of making an income which we possessed before coming here. If we leave Congress, even after a relatively brief service, those associations and connections are gone and we must build anew.

We hear a great deal of the plight of the man who is over 45. Most of those who talk about the difficulties of those who are 45 in getting a job are thinking about the men who work in factories or in shops or in industry or business generally. All of us know, from the experience of our friends who have served with us here and have left, that the employment handicap applies not only to industry and business, but also to the professions. We know, too, that if we cease to be Members of Congress, the fact that we have served here will not help us very much whether as lawyers, businessmen, or whatever we may be in private life.

Most of us cannot possibly hope during our service in Congress to do very much toward securing from our own salaries any funds which would give us even a minimum income when we become old. One of the great benefits which often flow from the retirement system is that of giving ease of mind and freedom from worry to those who benefit by it. Most of us, necessarily, have to give some thought every now and then to our own future, and I think the great majority of us have cause, from time to time, to worry about it. I would be the last to reflect in any way upon the time or work we are called upon to devote to public service, but I cannot help feeling that we might sometimes be better off if we knew that, despite any action which we might take here, there is some reasonable assurance that our own families would not suffer. I believe that if we were protected by an adequate retirement system, we would view many matters from a more detached point of view than is now possible for us to achieve; and all of us and the country would benefit thereby.

Before we can go very far in thinking about a retirement system, we have to get down to details, and there are many details. At what age should retirement benefits be available? Should they be available to everybody, or should only those who have served a period of years be eligible? Should the Members of Congress themselves pay for part of the cost? If Members of Congress pay for part of the cost, what should happen when the Members withdraw from Congress before reaching retirement age? Should their contributions be refunded, or should they retain rights to receive some pro rata annuity when they attain retirement age? What is a fair amount of annuity? Should we pay the same amount of retirement annuity to everybody? If not, should it vary according to age of retirement, or according to the number of years of service?

The answers to all these questions would depend, to a considerable degree, on what a retirement system having a given set of particular provisions would cost. We all know that if a system were started tomorrow, providing for retirement benefits rather less than our salaries, very few of us would retire until the end of our current terms; that is, the year 1941 for Members of the House and one-third of the Senate, and still later for the other two-thirds of the Senate. But we know, too, that over a period of years, more and more Members would be on the retired list, and the payments would increase for a period of years. What we want to look at when we think about cost, therefore, is not so much how much would be spent under the system a year from now or even 5 years from now, but rather what would be the average level, taking into account interest at a reasonable rate over a period of years.



In getting at what various kinds of systems would cost, we asked Murray Latimer, Chairman of the Railroad Retirement Board, to help us out. Mr. Latimer was good enough to agree to do this, and he has had several of his staff working with him for some months now collecting data which would be useful in making estimates of costs. Estimates of costs are made by looking at past experience, making whatever adjustments in that past experience are definitely known to be affected by factors which themselves have changed from the past; and making the general assumption that with these adjustments past history will repeat itself in the future. We know, to start with, that past history does not repeat itself exactly. But we ought to make the best possible use of experience, realizing that, from time to time, adjustments will have to be made, taking into account changed conditions which, in common with all other human beings, we cannot foresee with exact precision.

In securing the data on which to make cost estimates, a record has been made of every person who has been in Congress at and since the beginning of the Fifty-seventh Congress, which took office March 4, 1901. For each of the 2,871 Members of the House and Senate since that time, a record has been made of the date of birth, the length of service in both Houses, and the date of death if the Member is not now living. In this connection, the records kept by Mr. Ansel Wold, particularly the Biographical Directory of the Congress, covering the years 1774-1927, were invaluable.

One of the factors to be taken into account in calculating cost is the possibility that some Members of Congress who are not now in service may return later on, and probably under any reasonable plan they would be given credit for their service up to now. In calculating cost, a study was made of intermittent service on the part of some Congressmen, and an attempt has been made to allow for the possibility that some former Member of Congress not now in the service may later return and become eligible for retirement incomes. It is appropriate to say at this point that in all the plans for which cost calculations have been made it has been assumed that the present Members of Congress would receive credit for their past service. For example, a Member now 65, with 25 years of service when the plan begins to operate, could retire immediately on whatever benefits the plan provided for a Member aged 65 with 25 years all served after the beginning date. But none of the plans contemplates providing any benefits for Members of Congress not in service when the system starts and who never return later.

A study of these records of the Members of the Congress shows up and down fluctuations with respect to some of the important factors which have a bearing on cost. One of the most important factors is that of the age at which Members of Congress are elected initially. If all of us were elected at 25 and served continuously until 65, the cost would be much less than if, on the average, we were elected first at the age of 50. The records show that the typical Member of the House who was serving his first term in 1901 was just over 45 years old. The figure fell to 43.6 in 1903, and, except in 1911, when the average for new Members was 43.1, kept within the range of from 44 to 46 until 1917; thereafter it rose to over 49 in 1929 and 1931, but has since fallen to just over 45. The results would be slightly different if it were assumed that the ages of new Members would be 45 rather than 50. As a matter of fact, in the actual calculations it was assumed that new Members would enter at various ages, averaging 46.7.

Similarly in the Senate, the average age upon entering membership ranged from as low as 44½ (in 1907) to as high as 59½ (in 1931). Again, in the actual calculations it has been assumed that new Sen-

ators would be elected at various ages, averaging 53½ years. Insofar as experience in the future deviates from these assumptions, costs will vary from those that have been estimated, unless the variation in the age factor is offset by changes in other figures in a direction having an opposite effect on cost.

The mortality experience of Members of Congress has also been studied, because mortality both while in service and out of service is a most important factor in the calculation of costs. Mortality on so small a group as the membership of the House and Senate is likely to vary rather widely from time to time. From 1901 to and including the Members elected to the present Congress last November, 2,871 persons have been Members of Congress in both House and Senate. This number is too small, even though taken over a period of years, for the law of averages to apply, particularly when this number is divided down, as it must be, into the different ages.

Moreover, mortality in the population in general has changed very greatly since the turn of the century. This is probably just as true of the Members of Congress as it is of any other group of the population. In order to get any mortality figures which could justifiably be used so far as the future is concerned, it appeared that it would be undesirable to take mortality experience further back than 1920. So far as mortality among Members in active service is concerned, it appears that the 1937 standard annuity mortality table is a reasonably good basis. In the period from 1920 to 1933, at the age of from 40 to 49, 5 percent fewer Members of Congress died than would have been the case if the standard annuity table had been exactly followed. At ages 50 to 59, 2 percent fewer died. At ages 60 and over, however, from 6 to 10 percent more Congressmen died than would have been expected under the standard annuity table. This means, as a matter of fact, that Members of Congress who remain in service have a somewhat lower mortality than does the population generally. The standard annuity mortality table of 1937 is compiled from among a rather select group, whose mortality is somewhat lower than for all men in the population. Congressional experience is, of course, primarily a male experience. So few women have served in Congress that their experience has practically no weight in the total.

Apparently, however, Members of Congress die somewhat more rapidly than do men in the total population of the country, once they have left Congress. This is probably due in part to the fact that Members wear themselves out in the service, do not return, or are unable to return; and it was to be expected that the mortality among such former Members would be rather high on the average. There may be other factors here also. Of course, the average rate of mortality among Congressmen is much higher than the average rate for all men in the population, because the average age of Congressmen is higher by a good many years than the average age for all men in the United States.

If the retirement benefit is to be paid only to the Members who complete a certain number of years of service in Congress, the chance of serving that number of years is a highly important factor in the determination of costs. In calculating the chances of a Member serving a given period of years, it was thought desirable to break the period from 1901 to date into several parts to see whether or not shifts from one administration to another had had any decided effect on changing the probable periods of service. The periods selected were from 1900 to 1910; from 1911 to 1918; from 1919 to 1930, and from 1931 to 1939. Although some slight differences were discovered, the chances of a Member serving a given number of years have been remarkably constant over a period of time. There are, of course, some dif-

ferences. For example, the chances of a Member who comes to Congress at the age of 30 serving 20 years or 30 years are much greater than the chances of a Member who was first elected at the age of 50 serving that number of years. This is largely because the chances of a man aged 30 living 20 or 30 years are materially greater than the chances of a man of 50 living for a like period of time. But apart from the factor of mortality, the chances of reelection each 2 years or each 6 years appear to have been rather uniform over the years. For example, for a Congressman elected at age 45, there are 78 chances out of 100 that he will serve his term and be reelected to a second term. The chances are 60 out of 100 that he will serve his second term and be reelected for a third term. The chances are 36 out of 100 that he will complete 8 years of service and be reelected for a fifth term. But the chances are only 7 out of 100 that he will complete 20 years of service and be elected for an eleventh term.

The chances of remaining in the Congress are naturally somewhat higher for Members of the Senate. If elected first at the age of 48, a Senator has about 59 out of 100 chances of completing his first term and being reelected for a second. The chances of finishing his second term and being elected for a third are only 33 out of 100. The chances of completing a third term and being reelected for a fourth are only 18 out of 100; and the probability that the Senator will complete 24 years and be reelected for a fifth term are only 9 out of 100. Thus, if a retirement benefit is to be paid only to Members who have completed 20 years of service, only about 10 percent would qualify; and if, in addition to completing 20 years of service, the Member must have attained the age of 65 while in service in order to qualify, a still smaller percentage of the Members would be eligible to receive any benefits.

In order that Member of Congress might be able to come to some conclusion as to whether they wish a retirement system, and, if so, what its provisions should be, cost figures have been worked out for a large number of plans. Basically, however, these plans fall into four main types.

There is, first of all, a group of plans which provides for benefits upon the completion of a period of years of service and attainment of a given age, figures having been worked out for 6, 8, and 10 years of service, with retirement ages of 50, 55, 60, and 65. The amounts of annuity for persons retired at a given age and after a specified length of service have been made uniform, irrespective of service above the minimum requirements. Thus, in the first group of plans the amounts of benefit are varied according to age at retirement, the amounts to those retiring at 65 or over being the largest, smaller amounts being paid to those retiring at ages from 60 to 64, still less from 55 to 59, and with a further reduction in the amounts of benefit payable upon retirement at ages 50 to 54. Three sets of amounts have been used for each age in order to indicate the effect on cost in paying more or less annuity. Further figures are given for each combination of these several factors with the Government paying all the cost, and with the Member paying 3½ or 5 percent of their salaries as a contribution, with the Government paying the balance.

If Members contribute, it has been assumed that in the event they withdraw from Congress before becoming eligible for retirement benefits they would receive as a lump-sum refund the total amount of their contributions, together with interest compounded at the rate of 4 percent per annum. In the event of death before retirement, the survivors would receive a like amount. In the event of death after retirement, the balance, if any, of the amount of the death benefit as of retirement age, less annuities received by the deceased, would also be paid to the survivors.



A second set of plans provides for annuities varied according to the number of years of service. For example, if a Member retires after 20 years of service at a specified age, he will receive twice the amount of annuity that will be paid to a person who retires at the same age, but with only 10 years of service. In the basic set of calculations under this type of plan, it is assumed that the Member who withdraws from Congress will not receive a cash refund, but will retain the right to receive the amount of benefit credits earned by him for his service, beginning at the usual age of retirement. These Members will have the right, however, to have the annuity begin at a date earlier than the usual retirement age at an amount lower than what would be paid at the usual retirement age, to allow for the longer period in which payments would be made. For example, if a Member retired from Congress at the age of 50 and had accumulated credits amounting to \$200 per month payable beginning at age 65, he could ask for an annuity beginning at age 60 in the amount of about \$127 per month, and that amount could be paid at the age of 60 without any effect on the cost. If the Member died before reaching retirement age, or before receiving in annuities an amount equal to his death benefits, he would be given a refund just as was described in connection with the first set of plans.

In the second set of plans, costs are again calculated on three bases: One with the Government paying for the whole cost; the second with the members contributing 3½ percent of their salaries and the Government paying the balance; and the third with the members paying 5 percent and the Government paying the balance.

A third set of plans dealt with the cost of a flat amount of one-half of the salary payable at only age 65 or 70, after varying periods of service, without any contributions by members.

A fourth group shows the cost of paying annuities to retired members after a given number of years of service, irrespective of age, the minimum service being 15 years, with high amounts payable to those who retire after 20 or more years of service.

The cost of these various plans on the different bases, and the assumptions underlying the calculations, are presented in an appendix to these remarks.

The number of officers on the retired list of the United States Army as of June 30, 1938, was 3,532. The number of warrant officers and nurses was 777. The amount of retirement pay for the fiscal year 1938 was \$11,386,200 for officers and \$1,163,800 for warrant officers and nurses.

In the Navy Department the record shows the average number of officers in the United States Navy on the retired list for the fiscal year 1938 to be 2,928, and the retirement pay was \$8,789,878.31.

Officers of the Army and Navy are paid 75 percent of the salary received at time of retirement. Age of retirement is 64 years. Contribution payments are not required.

The number of retired Federal judges on the retirement roll April 30, 1939, was 30 and the retirement pay for the fiscal year 1938 was \$307,250. The retirement age is 70. They make no contributory payments to a retirement fund. They are paid the full salary received at time of retirement.

The number of Foreign Service officers on the retired list in the State Department for the fiscal year 1938 was 92; the retirement pay for the last fiscal year was \$262,328.64. These officers contribute 5 percent of their basic salaries and may retire at the age of 64. After 15 years of service, retirement is compulsory at the age of 65, and they may be retired if totally disabled for useful and efficient service by reason of disease or injury not due to any misconduct of the officer so disabled.

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Total annual annuities or retirement pay for officers of the Army and Navy, Federal judges, and Foreign Service officers of the State Department for the last fiscal year amounted to \$21,909,456.95.

I am putting the material collected by Mr. Latimer in the Record for the information of the Members of Congress who may be interested in the subject.

I desire to take this occasion to thank Mr. Latimer and his staff of assistants for the thorough and painstaking research performed in collecting the data necessary for the presentation of the different retirement systems which are covered by the statement that I am submitting for the Record. Mr. Latimer and his assistants have manifested a thorough knowledge of the subject of retirement plans and it is evident that the Government has in its Railroad Retirement Board not only a most capable director but also a competent and worthy staff of assistants.

Mr. Latimer will gladly respond to requests that Members of Congress may make of him for further general or detailed information relating to the subject of congressional retirement systems.

Mr. BANKHEAD. Mr. President, I also ask unanimous consent to have reprinted for the use of the Senate document room 1,500 copies of the Senate document above described.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO ROBERT H. HINCKLEY— EDITORIAL FROM THE WASHINGTON POST

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Record an editorial paying tribute to Robert H. Hinckley, from the Washington Post of February 3, 1946, which appears in the Appendix.]

#### EIGHT COMMANDMENTS FOR PEACE— ARTICLE BY CAPT. RICHARD C. DAVIDS

[Mr. TAYLOR asked and obtained leave to have printed in the Record an article entitled "A Young Soldier Gives You Eight Commandments for Peace," written by Capt. Richard C. Davids and published in Better Homes and Gardens for December 1945, which appears in the Appendix.]

#### FARM SURPLUSES—PORTION OF HEAR- INGS BEFORE SENATE COMMITTEE ON AGRICULTURE

[Mr. YOUNG asked and obtained leave to have printed in the Record a portion of the hearings held on February 1, 1946, by the Senate Committee on Agriculture on the subject of the uses of farm surpluses in the production of various industrial items such as alcohol and rubber, which appears in the Appendix.]

#### JOURNAL OF THURSDAY, JANUARY 17, 1946—PETITION FOR CLOSURE

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

The PRESIDENT pro tempore. The Senator from Tennessee has the floor.

Mr. BARKLEY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. BARKLEY. I do not want the Senator from Tennessee to yield to me. I wish to be recognized in my own right.

The PRESIDENT pro tempore. For what purpose?

Mr. STEWART. Mr. President, I understand I have the floor.

Mr. BARKLEY. For any legitimate and parliamentary purpose for which I may seek to occupy the floor.

Mr. STEWART. I have the floor.

The PRESIDENT pro tempore. The Chair has recognized the junior Senator from Tennessee; but the Chair has been informed that the Senator from Kentucky desires to make a motion under the rules of the Senate. The Chair is advised by the Parliamentarian that the Senator from Kentucky has that right.

Mr. BARKLEY. I advised the Chair this morning personally that I wished to be recognized, and I understood that I would be. I do not desire to take the Senator from Tennessee off his feet, if he wishes to address the Senate, but I do not want to be deprived of the opportunity to be recognized myself in my own right.

The PRESIDENT pro tempore. If the Senator desires to make a motion of the kind suggested, in the opinion of the Chair he has that right, and the Parliamentarian has advised the Chair that the Senator has that right even though another Senator may be on the floor, and for that reason and to that extent the Senator from Kentucky is recognized.

Mr. STEWART. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STEWART. Does that take me off the floor?

The PRESIDENT pro tempore. Temporarily, but the Senator will be recognized as soon as the other matter is concluded.

Mr. BARKLEY. I will say that I would not care to take the Senator off the floor.

Mr. STEWART. I am sure the Senator would not, and I do not wish to surrender the floor, now that I have it.

Mr. BARKLEY. I am perfectly willing to ask, if it is necessary, though I think under the ruling of the Chair it would not be necessary, that I be permitted to offer the motion which I contemplate without interfering with the right of the Senator from Tennessee to the floor.

The PRESIDENT pro tempore. The Chair calls attention to rule XXII, subdivision 2, which in part provides:

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and so forth.

If the Chair were called upon to decide de novo the meaning of the phrase "at any time," he would hold that it means at a time when a Senator has the floor in his own right. The same words are used in rule V, relating to a quorum, and it is the established practice of the Senate that a Senator in possession of the floor cannot be interrupted against his consent by another Senator for the purpose of suggesting the absence of a quorum. The presentation of the credentials of Senators-elect, the laying of messages from the President or the House before the Senate, the presentation of conference reports, the making of motions to adjourn, to recess, or to go into executive session, are all privileged matters or motions, but it has never been



contended that such a matter or motion was in order by a Senator while another Senator had the floor and declined to yield for purpose.

It seems to the Chair that the following clause of subdivision 1 of rule XIX is conclusive of the question:

No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer.

A Senator can only be taken from the floor for a transgression of some rule of the Senate, as provided under paragraph 4 of the above rule; and it follows, as a necessary implication, that, so long as a Senator declines to yield to another Senator and refrains from a violation of the rules, his right to the floor is supreme.

The Senate, however, has made an exception in the case of the presentation of a cloture motion. On March 12, 1925, and again on February 24, 1927, the Senate, on appeal, decided that a Senator having the floor could be interrupted against his consent, and his right to the floor temporarily suspended, for the purpose of presenting a cloture motion.

The Chair, in view of the above precedents, feels constrained to follow such course, and holds the right of the Senator having the floor is temporarily suspended. Whether it is a proper time, under the rules, to present such a motion is a question that may later arise for decision.

The Chair recognizes the Senator from Kentucky to present the motion.

Mr. BARKLEY. Mr. President, I appreciate the Chair's ruling, and I merely desire to say, in a preliminary way, that I think the time has come in the Senate for the Senate and the country to know whether the bill which is the pending unfinished business can be brought to a vote. The proponents of the bill are entitled to know whether it can be brought to a vote, those who oppose it are entitled to know whether it can be brought to a vote, and as I see it—and I think the Senate will agree—the only way to test whether it can be brought to a vote is to have the Senate vote, under rule XXII, on a motion to close debate.

I am not in charge of the proposed legislation—the Senator from New Mexico [Mr. CHAVEZ] is in charge of it—and I am not in a position to do more than say that I think that a vote on cloture will be a pretty fair test as to whether we can bring the measure to a vote at any time in the reasonably near future. With that in view, and for the purpose of bringing the Senate, if possible, into a posture where it can either fish or cut bait, I am sending to the desk and filing, under rule XXII, a motion to close debate, which contains the signatures of 48 Senators.

The PRESIDENT pro tempore. The motion will be stated for the information of the Senate.

The motion is as follows:

#### PETITION FOR CLOTURE

We, the undersigned Senators, in accordance with the provisions of rule XXII of the standing rules of the Senate, hereby move to bring to a close the debate upon the bill (S. 101) entitled "A bill to prohibit dis-

crimination in employment because of race, creed, color, national origin, or ancestry":

DENNIS CHAVEZ, JOSEPH F. GUFFEY, CHARLES C. GOSSETT, JAMES W. HUFFMAN, HARLEY M. KILGORE, ALBEN W. BARKLEY, SCOTT W. LUCAS, GLEN TAYLOR, ABE MURDOCK, JAS. M. MEAD, FRANCIS J. MYERS, FRANK P. BRIGGS, SHERIDAN DOWNEY, THEODORE FRANCIS GREEN, ROBERT F. WAGNER, BRIEN McMAHON, DAVID I. WALSH, ELBERT D. THOMAS, CLAUDE PEPPER, ELMER THOMAS, JAMES E. MURRAY, WARREN G. MAGNUSON, HUGH B. MITCHELL, JAMES M. TUNNELL, FORREST C. DONNELL, WAYNE MORSE, LEVERETT SALTONSTALL, W. A. STANFILL, ROBERT M. LA FOLLETTE, JR., HUGH BUTLER, H. ALEXANDER SMITH, B. B. HICKENLOOPER, RAYMOND R. WILLIS, ROBT. A. TAFT, WILLIAM LANGER, GUY CORDON, OWEN BREWSTER, HOMER FERGUSON, ARTHUR CAPPER, CHAS. W. TOBEY, KENNETH S. WHEERRY, CLYDE M. REED, HOMER E. CAPEHART, JOSEPH H. BALL, C. WAYLAND BROOKS, THOS. C. HART, GEORGE D. AIKEN, WILLIAM F. KNOWLAND.

Mr. RUSSELL. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. The point of order is that a motion to conclude debate on Senate bill 101 cannot be filed and received at this stage of the proceedings in the Senate. I direct the Chair's attention to rule III, and I wish to read from the rule:

The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

Mr. President, the Senate now has before it an amendment to correct the Journal of January 17. That is a matter of the highest privilege under rule III of the Senate, and I therefore make the point of order that it is not in order to present a motion on a matter which is not before the Senate, and thereby strike down rule III by bringing before the Senate a motion which would have the effect of repealing rule III, which makes consideration of the Journal a matter of the highest privilege.

Mr. BARKLEY. Mr. President, I should like to argue for a moment the point the Senator from Georgia has raised, if he has concluded.

Mr. RUSSELL. I have concluded for the time being. The matter is so clear to me I did not think it required any argument.

Mr. STEWART. Mr. President, is argument in order, since I have the floor? Do I have to stand here and wait all day for this argument to be concluded?

The PRESIDENT pro tempore. The Chair does not know how long the Senator will have to stand, but under the ruling of the Chair, pursuant to the advice of the Parliamentarian, this matter takes precedence of the Senator's right to the floor.

Mr. STEWART. My question was, Does debate on this matter also take precedence?

The PRESIDENT pro tempore. Yes; debate on it would likewise take precedence.

Argument on the point of order is in order, if the Chair is desirous of hearing it, and if the Senator from Kentucky desires to present the matter, the Chair will be glad to hear him.

Mr. BARKLEY. It is within the discretion of the Presiding Officer whether he wishes to hear argument on the point.

The PRESIDENT pro tempore. The Chair will hear the Senator.

Mr. BARKLEY. Mr. President, rule XXII, under which the motion I have presented is filed, provides:

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate—

And so forth. I contend that Senate bill 101 is the pending measure. If it be contended that the motion to approve the Journal is the pending measure, then, of course, it would be in order to file a cloture petition on that, if that is to be interpreted as being the pending measure. If this bill had not been made the unfinished business and the debate were debating the motion to proceed to its consideration, if that motion were held to be a "measure" within the meaning of rule XXII, then a motion for closing of debate on that motion would be in order. There has been no legislative interpretation of the word "measure" as used in this rule, but if we accept the interpretation of it that it must be a bill, then, of course, Senate bill 101 is the pending measure; it is the only thing that is pending that could be called a measure, and is the unfinished business now before the Senate.

Rule XXII was adopted by the Senate in 1917. It is a well-known theory and tenet of law, as well as legislation, that a later act if in conflict with a former act takes precedence over the former. Therefore when rule XXII, which was adopted by the Senate long after rule III was adopted, provides that if at any time—that is, without limitation—if at any time a petition is presented to close debate upon a pending measure, then it may be filed.

So, Mr. President, it seems to me that the purpose of rule XXII which was in the mind of the Senate at the time of its adoption, as evidenced by the very brief debate that took place when it was under consideration, should be effectuated. All Senators who spoke upon it, and as I recall, there were only three Members of the Senate who voted against the adoption of rule XXII in 1917—all those Senators who uttered any opinions at all about it said that they thought the time had come when the Senate should adopt a rule that would make it possible to close debate and bring a measure to a decision. That opinion was expressed without regard to geographical division. The then Senator from Georgia, Mr. Smith, the then Senator from Virginia, Mr. Martin, who offered the rule as the majority

leader of the Senate at that time, and the then Senator from Mississippi, Mr. Vardaman, spoke in behalf of it, as well the Senators from New York, Pennsylvania, and other States. So there was no geographical division in respect to the need for a rule which would bring a measure to an ultimate vote.

If a motion to approve the Journal made under a rule adopted long before rule XXII was adopted, can nullify rule XXII so as to make it forever impossible to file a petition under rule XXII, to bring to a termination the debate on a measure that is pending, then, of course, it completely nullifies not only rule XXII, but it nullifies the philosophy under which it was adopted and the purpose of the Senate at the time it was adopted, to make it possible to bring to a vote a measure that is pending. The only measure that is pending within the generally accepted meaning of the word "measure" is Senate bill 101, and it is the unfinished business, so much so that when 2 o'clock has arrived and has automatically concluded the morning hour the unfinished business is laid before the Senate and is proceeded with.

The only ground, it seems to me, on which any Senator can contend that this motion is not now in order is that rule XXII does not mean what it says when it says that at any time 16 Senators may file such a motion. And if we accept the definition of a "measure" included in that rule that it is a bill that is pending before the Senate and is the unfinished business—and Senate 101 is pending, notwithstanding any interlocutory motion with respect to the Journal of the Senate of a previous day, or the syntax or grammatical construction of the Chaplain's prayer, or anything else—the only way to vitalize the rule is to hold that Senate bill 101 is the pending measure, that it is not less a pending measure because a motion to approve the Journal has been made; and that therefore I am entitled to offer this motion, signed in accordance with rule XXII. I do not see how it can be contended that any other measure is the pending measure, except Senate bill 101. It was the purpose of the Senate to make it possible to bring such a measure to a vote by two-thirds of the Senate voting for a motion such as I have now filed.

I hope the Chair will overrule the order of order made by the Senator from Georgia.

Mr. RUSSELL. Mr. President, if the intentions of the Senator from Kentucky are correct, a motion for a cloture that is filed at any time could take from the calendar any measure pending on the calendar, and give it priority over other measures before the Senate.

This question has heretofore been before the Senate for determination, and it has been decided in a much calmer atmosphere than prevails here today.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. BARKLEY. Does the Senator contend that, from a parliamentary standpoint, every bill on the calendar is a pending measure in the sense of the rule?

Mr. RUSSELL. It is just as much a pending measure as Senate bill 101 is the pending business before the Senate at the present time.

Mr. BARKLEY. The Senator knows how from time immemorial the Chair has held with respect to the pending measure. It is so different from bills on the calendar that on days when there is a morning hour, automatically at 2 o'clock we go back to the pending measure, which is the measure which the Senate has voted by a majority to consider, unless it has been taken up by unanimous consent.

Mr. RUSSELL. The morning hour has no relationship whatever to this question.

Mr. BARKLEY. I mention it because it differentiates between a bill that is being considered and bills that are on the calendar.

Mr. RUSSELL. The morning hour rule has nothing to do with this question. We are not working under the morning hour. The Senate has been taking recesses from day to day, and we are still in the same legislative day of Friday, January 18. So the morning hour rule does not have anything to do with it. It does not illustrate the issue in any way, shape, form, or fashion.

As I stated, this question has been before the Senate on previous occasions. There is a long line of rulings by presiding officers, both Democratic and Republican, that business of the Senate cannot be set aside by a motion for cloture unless the bill is actually pending before the Senate as the unfinished business at the moment the cloture petition is filed. That may be a defect in the rules. I shall not discuss that. I have heard Senators say that there were defects in the rules of the Senate. There have been times when I have been rather irked at the procedure permitted under the rules of the Senate when I occupied a different position from that which I occupy here today. But we have the rules of the Senate before us and the precedents of the Senate before us, and we should not undertake to correct the rules by this procedure. The rules provide for their own amendment by the Senate. If the rules are defective they should be amended in the manner the rules provide—by lawful, regular procedure. But they should not be stricken down in this fashion.

I submit, Mr. President, that on the basis of the precedents and according to the clear wording of the rule, it is not in order to present a petition for cloture on S. 101 at the present time.

Mr. TAFT. Mr. President, does the Chair care to hear further argument?

The PRESIDENT pro tempore. Does the Senator from Ohio desire to present an argument?

Mr. TAFT. I merely desire to say, Mr. President, that the adverse position is based entirely on rule III. Rule III was adopted in the days of Jefferson, and all it says is that—

The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be

deemed a privileged question, and proceeded with until disposed of.

Obviously it is not a pending measure.

What is the pending measure? There certainly is no other pending measure than the FEPC bill. That bill, by vote of the Senate, was made the unfinished business. So far as I can see, it is the pending measure and the only pending measure, and the fact that incidental matters are being discussed at the time does not prevent it being the pending measure.

The Chair has already ruled that a petition for cloture is so privileged that it will take a Senator off the floor, and he does so under a precedent of the Senate established in 1927. If it is so highly privileged as to take a Senator off the floor, surely it is more privileged than rule III, made many years ago, merely to prescribe a course of procedure.

Furthermore, Mr. President, it is not at all clear to me that this bill is not before the Senate at the present time. It seems to me that on the day when we discussed the Journal, when we reached the hour of 2 o'clock, automatically under the rules of the Senate the unfinished business should have come up, and the matter of the Journal should have gone to the calendar, or should have gone over until the following day. So it seems to me that on any reasonable basis Senate bill No. 101 is the pending measure; and unless we are to make this rule utterly futile, I do not see how there can be any ruling except that a petition may be filed on a measure which has been made the unfinished business, which is the unfinished business of the Senate today, and which in my opinion is the only pending measure before the Senate.

Mr. RUSSELL. Mr. President, the mere fact that this rule was established by Thomas Jefferson does not make it obsolete, even though the Senator from Ohio may think so. It is an old practice, it is true; but the Ten Commandments were handed down by Moses a long time before rule III was adopted, and they are still supposed to set a standard of conduct in some circles.

That portion of rule XXII which relates to the filing of the petition does not make it a privileged matter. Rule III provides that a motion to amend or correct the Journal "shall be deemed a privileged question, and proceeded with until disposed of."

The PRESIDENT pro tempore. The Chair is ready to rule. The Chair will first read the petition for cloture which has just been submitted:

We, the undersigned Senators, in accordance with the provisions of rule XII of the standing rules of the Senate, hereby move to bring to a close the debate upon the bill S. 101 entitled "A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry."

The petition is signed by the Senator from New Mexico [Mr. CHAVEZ] and 47 other Senators.

The second subdivision of rule XXII—relating to cloture—adopted on March 8, 1917, in part is as follows:

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon



any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate—

And so forth. The rule was first invoked in connection with the treaty of peace with Germany, which had been under discussion for almost a month. On November 13, 1919, Mr. Gilbert M. Hitchcock, of Nebraska, the ranking member of the Committee on Foreign Relations, presented the following motion:

We, the undersigned, in accordance with the second paragraph of rule XXII, move that debate upon the pending conditions and reservations proposed by Senator Lodge to be added to, and incorporated in, the resolution of ratification of the treaty with Germany, and all substitutes, amendments, and additions thereto proposed, be brought to a close.

The question immediately arose as to what was meant by the "pending measure." Mr. Hitchcock took the position that it was the reservations and conditions proposed or that might be proposed to the resolution of ratification—that is similar to the position which the Senator from Ohio [Mr. TAFT] and the Senator from Kentucky [Mr. BARKLEY] take in this instance—while Mr. Henry Cabot Lodge, of Massachusetts, contended that the only pending measure before the Senate was the treaty. Mr. George W. Norris, of Nebraska, then made a point of order that Mr. Hitchcock's motion was out of order because it did not apply to the pending measure. Mr. Oscar W. Underwood, of Alabama, who took a leading part in the discussion at the time the cloture rule was adopted, concurred in Mr. Hitchcock's view, but, in the course of his remarks, with respect to the applicability of the rule to a legislative matter, said:

A pending measure, in my judgment, means a bill, resolution, or other parliamentary action that is before us for consideration.

Mr. Frank B. Kellogg, of Minnesota, supported Mr. Lodge's position, and Mr. James A. Reed, of Missouri, observed that the treaty of peace came before the Senate daily on a motion to proceed to its consideration.

The President pro tempore—Mr. Albert B. Cummins, of Iowa—sustained Mr. Norris' point of order, from which ruling Mr. Hitchcock appealed to the Senate. The appeal, however, was laid on the table by a vote of 44 yeas, 36 nays—CONGRESSIONAL RECORD, volume 58, part 8, pages 8413–8417.

On February 24, 1927, the then Vice President, Mr. Charles G. Dawes, ruled that a cloture motion applied to the business that was pending at the time it was presented, and in this view he was supported by Mr. Joe T. Robinson, of Arkansas—CONGRESSIONAL RECORD, Sixty-ninth Congress, second session, page 4661.

Mr. Robinson, as we all remember, was the Democratic leader at the time.

On February 26 and also on February 28, 1927, Vice President Dawes again ruled that a motion for cloture applied to a bill that was pending before the Senate at the time of its presentation.

In the latter instance an appeal was taken, but was laid on the table by a

vote of 69 yeas, 12 nays—CONGRESSIONAL RECORD, *ibidem*, pages 4900, 4985.

The above precedents, established when the history of the cloture rule was fresh in the minds of the above-named Senators, nearly all of whom were Members of the Senate at the time it was adopted in 1917, leave no doubt in the mind of the Chair that it was the clear intent and purpose that a motion for cloture could only be applied to the measure pending before the Senate at the time it was presented.

The question arises, What is the business now pending before the Senate? At the present time, and since the Senate met on Friday, January 18, 1946, as appears from the CONGRESSIONAL RECORD, the matter pending before the Senate is and has been the question of the amendment of the Journal of Thursday, January 17, 1946, save certain business transacted by unanimous consent.

The matter first in order at the beginning of a legislative day is the reading and correction of the Journal. In the opinion of the Chair, a higher degree of privilege attaches to it than to any other matter under the rules of the Senate. All other questions of privilege are subordinated to it, as appears from subdivision 1 of rule VI, which provides that—

The presentation of the credentials of Senators-elect and other questions of privilege shall always be in order, except during the reading and correction of the Journal.

Rule III, with respect to the amendment or correction of the Journal, expressly provides that—

When any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

The Chair calls attention to a recent precedent of the Senate in this respect. On November 17, 1942, while a motion to amend the Journal of the previous day was pending, the late Senator Charles L. McNary, of Oregon, made inquiry concerning the presentation of the credentials of two Senators recently elected for unexpired terms, who were ready to be sworn in. The then occupant of the chair, the Senator from Wisconsin [Mr. LA FOLLETTE], replying to the inquiry, said:

The present occupant of the chair is of the opinion that until the question of the correction of the Journal has been concluded, it would not be in order to present the credentials of Senators-elect or to have them receive the oath. \* \* \* Until all questions concerning the Journal of the last session are disposed of, no other business can come before the Senate. (CONGRESSIONAL RECORD, 77th Cong., 2d sess., pp. 8919–8921.)

Senate bill 101, the FEPC bill, while technically the unfinished business, has been temporarily superseded by a highly privileged matter, which must be proceeded with, under the rule, until disposed of. The FEPC bill is not, in the opinion of the Chair, the pending measure before the Senate, and has not been such since the adjournment of the Senate on Thursday, January 17, 1946. It cannot, under the rules, again come before the Senate for consideration until the Journal of January 17 has passed the stage of correction or amendment. When that has been disposed of, the

FEPC bill, as unfinished business, will automatically be laid before the Senate by the Presiding Officer. At that time, and not until then, can a cloture motion on the bill be presented to the Senate under the rules.

The Chair sustains the point of order. Mr. BARKLEY. Mr. President—

Mr. TAFT. Mr. President—

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. STEWART. Mr. President, I have the floor until this matter is disposed of.

Mr. BARKLEY. Mr. President, there is another privileged matter before the Senate which involves this whole question.

Mr. STEWART. Mr. President, I have the floor.

The PRESIDENT pro tempore. The Senator from Kentucky will state the matter to which he has referred.

Mr. BARKLEY. The right of the Senate to pass upon its own rules. With great respect to the Chair, I think in this instance the Senate has the right to pass upon its rules and to interpret them, and therefore I must respectfully appeal from the decision of the Chair.

Mr. STEWART. Mr. President, I object to the statement of the Senator from Kentucky. I do not yield for that purpose, and I have not yielded for any purpose.

Mr. BARKLEY. Mr. President, a while ago I asked that the Senator be permitted to yield without interfering with his right to speak. The right to appeal from a decision of the Chair on the very matter which we have had before us is certainly a part of the proceeding for which the Senator has yielded.

Mr. STEWART. Mr. President, I repeat that I have the floor, and the Senator from Kentucky—

The PRESIDENT pro tempore. The Senator from Kentucky is correct about the matter, and he may make such an appeal.

Mr. BARKLEY. Mr. President, I regret that I do not find myself in accord with the ruling of the Chair, but I think on this matter the Senate has a right to interpret its rules itself.

For that reason, I am compelled to appeal from the ruling of the Chair.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. STEWART. Mr. President, since the Chair has already ruled that the Senator from Kentucky had a right to make the motion, I shall not propound a parliamentary inquiry which I was about to propound. I take it that the motion is debatable.

The PRESIDENT pro tempore. It is. Mr. STEWART. Very well; then I shall proceed to debate.

The PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. STEWART. Mr. President, again we are confronted in the Senate of the United States with the consideration of a matter which is highly controversial. The controversial nature of the measure which the Chair has held to be the unfinished business has been demonstrated within the last few minutes.

Mr. President, technically I wish to debate the question which has been before the Senate within the past few minutes, namely, the ruling of the Chair on the question of sustaining the point of order against the filing of a petition for cloture and upon the question of permitting an appeal from the decision of the Chair. Likewise, I expect to debate the unfinished business, Senate bill 101, the well-known FEPC legislation. I understood the Chair to rule that the filing of a petition for cloture, being a highly privileged matter, temporarily would displace or take from the floor any Senator who previously had gained recognition. I did not object to that seriously, Mr. President, because I understand that to be the proper and correct ruling. But after the motion was made for permission to file a cloture petition, the petition being presented to the Chair with the signatures of 48 Senators, then the Chair proceeded to listen to a short discourse on the interpretation of the rules, made by the Senator from Kentucky, the Senator from Georgia, and the Senator from Ohio, whereupon the Chair proceeded to rule that the petition could not properly be filed because it could be directed only at the pending measure; and the FEPC bill not being the pending measure, but consideration of approval of the Journal being the pending measure, and the petition for cloture not having been directed at it, the Chair, of course, properly ruled that the petition for cloture could not be received.

Thereupon the Senator from Kentucky proceeded to take exception to the ruling of the Chair—but over my continued protest, that, inasmuch as I had previously been recognized by the Chair and had not yielded to the Senator from Kentucky, I had the floor, and that the Senator from Kentucky, who undertook to take exception to the ruling of the Chair and to make a motion which he was allowed to make appealing from the Chair's ruling, was entirely improper and out of order. I think the matter of consideration of such a motion cannot properly be taken up until such time as a Senator who desires to make the motion can obtain the floor in his own right. But the Chair has already passed on that matter, and I presume that for the present it will stand as it is.

So I desire now to discuss the FEPC bill, which I understand to be the unfinished business.

Mr. RUSSELL. Mr. President, I am sure the Senator from Tennessee would not wish to conclude that part of his remarks without stating that, under the rules of the Senate, the ruling by the Chair was the only one he possibly could have made without violating the rules of the Senate and all the precedents of the Senate on the subject.

Mr. STEWART. I think the Senator from Georgia is quite correct, of course. The obvious ruling to make concerning the petition for cloture was the ruling the Chair did make, because, as the Chair stated, in ruling in regard to the filing of the petition, his ruling followed every precedent which is known to this body. Of course, the Chair was highly

correct. His ruling was highly proper. In fact, it was the only ruling which could have been made. While, as I have said, the motion to appeal from the decision of the Chair was out of order and, I believe, should not have been made, nevertheless it was made, and sooner or later we shall probably have to vote on whether the petition for cloture may properly be filed.

Mr. EASTLAND. Mr. President, will the Senator yield for an observation?

Mr. STEWART. I hope that Senators will read the various rules which apply to the situation, because I think it can truthfully be said that to overrule the Chair in respect to a ruling which is so fair and obvious would be almost to ravage the established rules and precedents of the Senate.

Mr. President, the FEPC bill is highly controversial. It is controversial by reason of the fact that it attempts to force the race question upon the United States, and particularly upon the States of the South. Within recent years kindred problems have been presented to the Senate. By "kindred problems" I refer to problems which are sectional in nature, or which invariably give rise to the race issue. I think that the pending bill should not have been presented to the Congress at this time. If it was to be presented at all, I think it should have been presented at a more opportune time. It should not have been presented at a time such as now, when the country as a whole is in a very chaotic condition. There are scores of other matters which should be receiving the consideration of the United States Senate. There are scores of matters which are crying for attention and which, if properly settled, would redound to the benefit of all the people of the world.

Mr. President, some of us are wondering why we are being forced to consider proposed legislation of the character which is now before the Senate, why we are being forced to consider this so-called FEPC bill. Is it because some powerful individual, or a powerful group of individuals, has demanded that the Senate consider such a matter at this time? If so, who is he, or who are they? Upon whom did they make the demand that the Senate consider Senate bill 101? Certainly, the demand did not originate with the people of the Southern States, and yet it is conceded that the people of the Southern States would be most seriously affected by the passage of such a bill. In fact, the South would perhaps be more seriously affected than would any other section of the country. It is because of that fact that southern Senators, with but two exceptions, are now opposing the FEPC bill. Therefore, Senators who are representing Southern States stand almost 100 percent together in their decision to fight the bill to the end. I have stated that no demand has been made by any responsible person or group of persons for the passage of the pending bill at this time, or at any other time. I know, and the people of the South know that there is absolutely no need for legislation of the character which is now being proposed. I may say, as it has also been said by other Senators

during this debate, that we are solving our race problems in the South to the satisfaction of all concerned.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. STEWART. I yield.

Mr. EASTLAND. Does not the Senator from Tennessee believe that if a Negro got into trouble and wanted a friend to help him, he would more quickly go to southern people for help than he would go to some of his political friends who are clamoring so loudly for his vote?

Mr. STEWART. I may say to the Senator from Mississippi that it has been my experience that the relationship between the white man and the black man in the South has been such that very few Negroes, if any, have ever felt the slightest hesitancy in asking the white man for aid and succor in time of trouble.

Mr. EASTLAND. Is it not true that the average Negro considers the southern people to be better friends of his than people from other sections, and that the allegations which have been made of mistreatment of Negroes are largely the figment of the imagination of politicians who want the Negro vote?

Mr. STEWART. The allegation of trouble between the races in the South, and of discrimination against the colored man in the South, is not only a figment of the imagination and of a distorted mind, but it is absolutely untrue.

Mr. President, the Southern States date their present political status back to the unfortunate period of the War Between the States and the civil strife which ensued throughout the South. Having been overwhelmed and defeated in the battles which were fought during that war, which lasted 4 or 5 years—

Mr. EASTLAND. Is not the Senator mistaken about the South having been defeated?

Mr. STEWART. Mr. President, the Senator knows what I mean. We had to lay down our arms, and a Negro legislature was installed in one of the States, namely, South Carolina. If that fact did not represent defeat, I do not know what it did represent. Of course, the spirit of the southern men and women has never been defeated, and it will never be defeated so long as breath remains in their bodies.

Mr. EASTLAND. The South was defeated by starvation, and not by force of arms.

Mr. STEWART. The historians have written many stories about that situation. What the Senator has said is, I think, true. The South was unable to obtain supplies. The point which I was trying to make was that since those days the people of the South have struggled with the race problem. The whites and blacks struggled together and lived in days when neither of them had enough cornmeal to assure a respectable and decent repast.

They have lived together throughout the years. I am speaking of a period of three-quarters of a century or more, and in that period of time they have made progress of which I am proud, and of which the black man in the South is proud, notwithstanding the infamous



falsehoods the Communists have stated to the contrary.

Mr. EASTLAND. I wish to invite the attention of the Senator to section 3, page 2, of Senate bill 101. The Senator will note that the section provides:

It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

The question I wish to ask the distinguished Senator is this: Let us assume a business with 2,000 white employees and 500 Negro employees which I do not think is an extreme illustration. Suppose a white worker and a Negro worker, both of whom have the same qualifications, apply for the same job. The employer takes this position, "I have 500 Negroes employed, and that is one-fifth of my employees. That is a greater proportion than the sum total of the Negro population bears to the whole population of the country. Therefore I am going to hire the white man and not hire the Negro." He is refusing to hire the Negro because of his race. Does not the Senator believe he would then be guilty of discrimination, under the proposed law?

Mr. STEWART. As I construe the bill, the matter would be entirely in the discretion of the Commission that is to be set up.

Mr. EASTLAND. He would be guilty.

Mr. STEWART. They could hold him guilty on the ground that he had discriminated against a member of a minority race.

Mr. EASTLAND. If he refused to hire the man because he was a Negro, then he would be guilty, under the proposed law. I think the Senator will agree with me in that.

Mr. STEWART. I think that is true.

Mr. EASTLAND. Then does not that constitute a preference for the colored worker over the white worker?

Mr. STEWART. Preference is given throughout the bill to all minority groups. The result is that it gives minority groups control of industry in this country, to the exclusion of majority groups. There can be no question about that.

Mr. EASTLAND. The bill is not limited to minority groups. Suppose an employer should say, "I have four or five other white workers, and therefore I will give this job to a Negro, and not to a white man." Then he would be discriminating against the white man because of his race and because of his color.

Mr. STEWART. But he would not have violated any law.

Mr. EASTLAND. He would be violating the proposed law.

Mr. STEWART. He would not be violating the proposed law by discriminating against the white man if the white man belonged to a majority group, because the majority is not protected by the bill.

Mr. EASTLAND. I call the Senator's attention to the fact that to refuse to hire any person because of such person's "race, creed, color, national origin, or ancestry" is violative of the measure.

The point is, does not the Senator think that either position the employer takes he is liable, under the proposed law, and can be prosecuted?

Mr. STEWART. I see the Senator's point. That might be correct. After all, it is up to the Commission to be set up by the bill to determine that question.

Mr. EASTLAND. But, as a matter of fact, if the employer took that position, he would violate the law.

Mr. STEWART. An employer cannot make any decision at all without violating it.

Mr. EASTLAND. The point is that under the bill all industry in this country will be nationalized, and we will have bureaucratic control of the whole economic life of the United States.

Mr. STEWART. There is no doubt about that. The Senator's conclusion is absolutely correct. In common parlance, we might say that the Senator is "as right as rain."

Mr. President, I may say, as has been stated by other Senators during the course of the debate, and as has been stated on the floor in similar debate scores of times, we of the South are solving our race problems, and solving them to the satisfaction of all those who are concerned. When I say those who are concerned, I do not mean communistic busybodies who are in other parts of the country, who are not close to the problem, and know nothing about it, but I mean those who are directly concerned. Of course, I mean the white man and the black man in the South.

Anyone interested honestly and sincerely in the solution of this problem will admit that we have made more progress in the South in the past quarter of a century than in any other comparable period of time. Every observer must know that the bill we are considering does raise the race question. That is precisely what it does, and no doubt that is the purpose for which it was designed. This statement of mine is not an original thought or idea; it has been repeatedly said on the floor of the Senate that the race question is raised by such proposals.

As I have said, we have made progress in settling the problems of race differences in the South. Speaking of race conditions, I naturally speak of the white and black races, because they predominate in the South.

Mr. President, I know, as does everyone else familiar with the situation in the South, as well as in other States of the Union, that conditions are not perfect. But who can say that perfection can be obtained by this iniquitous, unfair, utterly dishonest measure, Senate bill 101? I know that conditions never have been and probably never will be perfect, insofar as the solution of the race problem is concerned, not only in the South but in all sections of the country and of the world. But I know, or at least I believe, that, so far as we are concerned, we can and will settle the question among ourselves in the South with as nearly a perfect score as might be or could be expected. I think that, as a matter of fact, we can and will solve it among ourselves in the Southern States even better than other sections of the

country are at the moment attempting to work out similar problems.

The southern white man and the southern black man are friends, and they will remain friends so long as they are left alone to work out their own destinies without "kibitzing" agitators from the outside who come in and attempt to stir up strife by pressing for the passage of laws such as the iniquitous bill now being considered.

Mr. President, this matter actually has possibilities of bringing serious trouble and unrest to one of the greatest sections of this country. The southern Negro is not as ill-content and unhappy as some people pretend he is. The southern Negroes have schools, and each year sees more and more of them built. They have schools and are educating their children, and progress is being made in this field.

Their freedom to work and earn their own way has not been denied. They own property, and the laws of the States protect them, just as they protect others.

The colored man is an ambitious person, he desires to go forward. He likes to see his children go to a good school. He wants them educated, and I glory in his ambition in that regard.

We in the Southern States are giving the Negroes all the aid humanly possible for us to give. The South, a bare 10 years ago, or less than that, perhaps was found to be the "Nation's economic problem No. 1." We have had less money in the South since the days of the War Between the States, than those of other sections of the country have had. The white people, as well as the blacks, have been poorer, and have had to struggle along.

Mr. JOHNSTON of South Carolina. Mr. President—

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Tennessee yield to the Senator from South Carolina?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator whether, as has been stated a great many times in the newspapers, only the South is fighting this particular bill before the Senate in the discussion of what is commonly known as the FEPC.

Mr. STEWART. That has been stated, but it is not a correct statement. There is plenty of sympathy in other sections.

Mr. JOHNSTON of South Carolina. I wish to read from the Washington Post of February 1, a letter written by Robert White, Jr. The heading is FEPC. I want the Senator to listen to this and to answer the question whether or not we find people in the North probably taking the same view the Senator and I have taken. The letter reads:

FEPC

In your editorial columns and in letters to editor in re FEPC one point seems to be overlooked. The assumption seems to be that objection to FEPC is exclusively southern. That is an error. The clearest and sanest objection that has met my eye is a letter from the Chamber of Commerce of Boston, Mass., urging the State legislature not to let the action of New York stampede them into putting teeth into an act so stupid. This

was followed by a similar action by the C. of C. of Cleveland, Ohio.

The three main points were:

1. It destroys a valuable mainspring of industry called crudely the freedom to hire and fire.

2. It penalizes an employer for prejudices which may not be his. (Be he ever so broad-minded, if his other employees or his customers find some persons of other races or religions uncongenial, they can quit and leave Mr. Employer with the empty bag to hold.)

3. The essence of FEPC involves motive, and that is not so easy to pin on a man. (Motives are seldom simple. Most of them are a composite or compromise of several impulses.)

Prohibition would probably have been a howling success in a nation of law-abiding folk addicted to abstinence. The scheme of making the American people become temperate by law didn't seem to work out that way. It would be grand if our United Nations delegates could stand up and tell the world, "Let us show you how we did it in the United States of America. Just pass a law." If they do, it would be better for the world to look before we pass FEPC.

ROBERT WHITE, Jr.

That letter was published in the Washington Post of February 1, 1946. After having heard me read the letter, would the Senator say the contention that this fight is made only by southerners is true or is not true?

Mr. STEWART. Of course, the Senator knows, as I do, that similar legislation has been submitted to 20 States in the Union, and that only two have passed such legislation, and that not a single Southern State has done so.

Mr. JOHNSTON of South Carolina. Of course, the Senator from Tennessee and I know that the bill will never come to a vote, but assuming it should come to a vote, does the Senator think the proponents of the bill would vote for an amendment like this:

*Provided, That before this legislation shall become effective in any firm or corporation by which more than six persons are employed, the majority of the employees shall first vote in favor of putting this law into effect.*

Does the Senator think the proponents of the bill would vote for such an amendment?

Mr. STEWART. I doubt it very much.

Mr. JOHNSTON of South Carolina. I am sure the proponents of the bill would not give the majority of employees of a corporation or firm employing more than six the opportunity to decide the practice they wanted applied in that firm or corporation.

Mr. STEWART. I would have serious doubt as to whether they would. Of course, in order to obtain proper and correct information the Senator will have to ask the question of someone who is for the bill. I am against it. But I do not believe such an amendment would get anywhere. I doubt very much if it would. I thank the Senator for his contribution.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CHAVEZ. Of course, if the bill is worth while it should be effective. All laws are passed for the purpose of being effective. When Congress passed the draft law, the selective-service law, did

it place in that law a proviso to this effect:

Young men from Tennessee or New Mexico, we will draft you provided you are willing to go to Europe.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator permit me to answer that question?

Mr. STEWART. Is the Senator from New Mexico willing that I yield to the Senator from South Carolina for the purpose of making response?

Mr. CHAVEZ. I shall be glad to have the Senator from South Carolina answer.

Mr. JOHNSTON of South Carolina. I have heard a similar question asked time and again on the Senate floor.

Mr. CHAVEZ. It is a good question.

Mr. JOHNSTON of South Carolina. When the boys, both white and colored, went into the service they realized and understood the conditions existing in the United States at that time. For the information of the Senator I will say that in the First World War I spent 18 months on the battlefields in France, and I was in Germany also. I expected to return to this country when the war was over and find it as it was when I left, with every employer having the right to hire the man he thought would fit into his organization or business, and not be jeopardized by having to take someone into his organization who might stir up strife and discontent and probably force his business into bankruptcy.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. STEWART. I yield to the Senator from New Mexico.

Mr. CHAVEZ. If an American boy, black or white, whatever his ancestry may have been, is good enough to hit the beaches to fight for his country, why should we not pass a law which will protect him against discrimination in employment, and provide a certain measure of decency in connection with his employment?

Mr. JOHNSTON of South Carolina. I am against discrimination, but that is not what the bill sponsored by the Senator from New Mexico deals with. This bill would set up a national agency which would be a virtual dictator in the United States, which could say whom I can hire, whom I can advance in pay and and whom I may discharge from my employment, provided I employ six or more persons. The bill affects interstate commerce, as the Senator knows.

Mr. CHAVEZ. Mr. President, I respect the opinions of the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. What does the bill cover? What does it provide?

Mr. CHAVEZ. It does not provide for any such thing as the Senator said.

Mr. JOHNSTON of South Carolina. What does it provide then?

Mr. CHAVEZ. No company is obliged or compelled to employ anyone, not a soul, whether he be black, white, a Jew, or of any other nationality. It says that if a man is qualified he should not be turned down for employment because of race, creed, color, or national origin.

Mr. JOHNSTON of South Carolina. I will say to the Senator that I am not in favor of giving an alien a right over the returned American soldier, whether he be white or black. I do not want to give an alien a right over the returning soldier so he can walk into an employer's office and say, "You must hire me because I am competent to do the job"; and then the soldier boy may walk in and find he cannot get the job, whether he be white or black, simply because the alien had gotten it before he did. Under this bill such a thing could happen. If the Senator will read the bill carefully he will see that what I say is true. It penalizes the returned soldier.

Mr. STEWART. Mr. President, I make this observation, which pertains to my speech: The arguments presented by both the Senator from South Carolina and the Senator from New Mexico are effective and worth while. The Senator from New Mexico said that no man is asked what his race or color is when he goes to war. Men are drafted on an equal basis. Both the statements made by the Senator from New Mexico and the reply made by the Senator from South Carolina are full of good sense and good logic.

Mr. President, my position with respect to this bill is that I have not yet seen any need for such legislation. Certainly there has been no convincing proof of the need for it presented at the hearings which were held. I did not attend the hearings, but, from what I understand, they were—I shall not say farcical, but they were at least one-sided. I heard the statement made the other day that the bill was brought to the floor with the thought that debate which might be indulged in on the floor by Senators might be used as a sort of substitute for the hearings. In other words, that the subject might be aired on the floor of the Senate. I think it has had a pretty good airing, and I think it will get a good deal more before the debate is concluded.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a question?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. For the information of the Senator, I will say that I noticed that when a similar bill was introduced in the House it was rushed in that body. The bill was introduced on January 16 and reported to the floor on January 21. It was considered in committee during a week end. I do not know whether or not any hearings were held by the House committee, but the interval between introduction and report of the bill shows that it was rushed in the House. I am a member of the Committee on Education and Labor, and I shall be frank with the Senator and say that no worth-while hearings were had on the pending bill before it was reported to the Senate.

Mr. STEWART. I understand the hearings were rather meager, indefinite, and uncertain. I have heard language of that kind used in respect to what was done.

Mr. President, the people who are behind and who have agitated this vicious



proposal will be responsible for whatever strife it stirs up. There is, I repeat, no demand in the South for this character of legislation. I have been wondering what percentage of the so-called minorities of the country, which the bill purports to aid, actually want it. The adoption of the bill will create but one more bureau or commission to propagate discord.

The unfriendly feelings which it will engender will be much worse and more lasting than any alleged discrimination which the sponsors of the bill claim has been practiced. The remedy is far worse than the alleged disease which it is proposed to cure. It will bring snoopers and busybodies, smellers and agitators, alleged do gooders, and troublemakers into every phase of American life, not only in my southland, but in the North, East, and the West as well.

How long can this country, which was built to its present greatness on individual enterprise and initiative and know-how, weather such asinine foolishness? A return to understandings and good will on the part of the people as a whole, certainly cannot be expedited by such proposals as are contained in this ill-considered and infamous S. 101.

The report of the Committee on Education and Labor as one of the reasons for the necessity for passing this legislation declares, naively, that it is "to confound our enemies who hope to divide us class by class, race by race, group by group, to vitiate the victory that is at hand and to lay the basis for World War III."

We are asked to pass this bill so that our enemies overseas will not think that we are split up and divided. If I were making a stump speech to a crowd I could think of a good word to say right there.

In all fairness, Mr. President, I cannot conceive of anything that would create greater unrest and division in our economic, social, and business life than the passage of this foul-smelling legislation. It has the potentialities not only for breeding but fostering discord and dissatisfaction to their fullest growth. It should be apparent that we cannot regulate ideas in this respect, nor can we continue to aid in the growth of this country and the fullness of employment by compulsion and force such as are proposed in this bill.

Who really wants the bill? Who with real sincerity has asked for it? Was it requested in the interest of furthering understanding, harmony, and better relations? Who wants the bill? Is it folly to say, Mr. President, that understanding and tolerance cannot be promulgated by legislative decree?

Why was it brought up at this time, and why is an attempt being made to cram this thing down our unresponsive throats? I ask why because I wish to know. I ask why because I also wish to know whether it is more important to consider this bill, and consume 2 or 3 months in debating it in the Senate, than to consider other measures which are vitally important. Let us ask a few questions along that line.

Is it more important to consider this bill, which every one knows would serve only to provoke distress, promote discord,

and, in common parlance, bring trouble, than it is to consider bringing home from overseas the fathers of 1,000,000 children? Is it more important to consider this bill than to consider bringing home from overseas other soldiers who are long since war weary? Is it more important than bringing home hundreds of thousands of veterans who have served their country long and well? Is this bill considered more important than restoring to their homes men who deserve to be returned, and whose return is highly desirable and will do much to bolster American morale?

Mr. President, I believe that the Congress is approaching the point where it is about to neglect its duty to servicemen who are entitled to be discharged and brought home now. I might add, as a precaution, that I do not wish to be misunderstood, nor do I intend to say that the duty of our Government overseas has been neglected in any sense, or should be neglected. However, I mean to emphasize the importance of returning the father to the child whom he has never seen, and the son to his mother whose face he has not gazed upon for years. But we cannot do that. We cannot have any legislation for that purpose, because we must mess around with this stinking FEPC bill. We cannot send overseas to bring back the boys who are praying to Almighty God to see the faces of mothers that they have not gazed upon in years. No. The Senate cannot pass such legislation as that. The boys over there, both black and white, cannot receive the attention we ought to be giving them, for the reason that we have serious domestic troubles to which we must give attention.

My good friend from Louisiana [Mr. OVERTON] sits on my right. I say to him that I venture the assertion that there is not one-tenth of 1 percent of cases of abuse in employment in the entire United States, if the God's truth were known.

This bill is a falsehood within itself. It stands upon a foundation which will not support it. It is an iniquitous falsehood from beginning to end. Listen to the preamble—or whatever it is—in section 1:

The Congress finds—

If we pass this bill, let me say to the Senator from South Carolina [Mr. JOHNSTON], who sits at my left, and with whom I have engaged in colloquy today, we must find—

that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

After reading that, one would think that the sun would not rise in the morning if we did not pass the bill; that a Joshua would point to the sun and moon and say "Hold it," while the old earth trembled and froze again. One would think that if we did not pass the bill at once this country would go to hell on a bobsled. Do Senators subscribe to any such stuff as that? There is not a single word of it that is true. It is false.

It is said that the national security is endangered. How is the national security endangered? What has happened that makes us afraid of something from outside? What is it that endangers the national security? It is said that because we will not pass the FEPC bill the national security is endangered. How? Have Senators read the hearings which were held on this bill? There were practically no hearings. I have heard of only very meager ones.

It is said that commerce is adversely affected. How is commerce adversely affected? I should like to know what is meant by all these statements. If we pass this bill we say that all the conditions which are enumerated in section 1 actually exist in this country—that commerce is adversely affected, that the national security is endangered, and that we are on the broad highway which leads to another land.

I was asking whether it is more important to return the boys from overseas than it is to consider this bill. Let us talk some more about that and other questions.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. OVERTON. Before the Senator reaches another point, recurring to section 1 of the bill, which he has just read to the Senate and which declares that—

The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry foments domestic strife and unrest.

I ask the Senator whether he knows of any domestic strife which has been fomented by reason of a denial of employment in the United States to any person because of race, creed, color, national origin, or ancestry?

Mr. STEWART. Mr. President, I can truthfully say "No." I know of absolutely none. A moment ago I prefaced my remarks with the statement that I knew of no such practices as are described in section 1 of the bill. If we pass the bill, we declare that such practices exist. I know of no such practices; and I made the statement that I ventured the assertion that there was not one-tenth of 1 percent of abuse in industrial employment, which this bill would be presumed to cure.

Mr. OVERTON. Is it not true, so far as labor is concerned, that the only domestic strife and unrest of any magnitude which prevails in this country is represented by numerous strikes?

Mr. STEWART. The Senator is correct.

Mr. OVERTON. I ask the Senator whether those strikes find their origin in the fact that employment has been denied to Negroes, Jews, or foreigners. Is that the cause of the strikes?

Mr. STEWART. I was coming to that question. If it is, who knows it? It was not presented at the hearings.

Mr. OVERTON. As a matter of fact, there is no relation whatsoever between the existing strikes and denial of employment to Negroes and others because

of race, creed, color, national origin, or ancestry.

Mr. STEWART. If there is a single strike in any line of industry or elsewhere that can be attributed to any of the things mentioned in this bill, I do not know it. Strikes do not exist because anyone has been denied equal opportunity in employment, or because anyone has been discriminated against because of race, creed, or color.

Mr. OVERTON. If the bill were enacted into law, an employer would be required to employ a person, whether he were a citizen of the United States or not, and could not deny such employment because of race, creed, color, national origin, or ancestry. He would have to employ him. If that person were not affiliated with the union which dominated labor at the particular plant or in the particular industry, does not the Senator think that if the proposed law were enforced it would be very likely to foment strife and unrest, and bring on strikes in this country?

Mr. STEWART. I think it would be the beginning of an era the like of which we have never seen. There would be more trouble and discord. I have repeatedly stated that the bill would foment trouble and discord. That is all it is fit for.

Mr. OVERTON. Can the Senator understand why it is that organized labor of any kind—either the CIO or the A. F. of L.—should be undertaking to aid in the passage of a bill which would require the breaking up of the open shop? It would require an employer to hire any person, and would prohibit the employer from denying employment to any person because of his race, color, or creed.

Mr. STEWART. No; I cannot understand it. It is beyond me.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. STEWART. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. The Senator from Tennessee has read the committee hearings, I am sure. In those hearings was there any proof that the practices against which this bill seeks to legislate have fomented domestic strife and unrest in this country?

Mr. STEWART. I am sorry to say that I have not read the committee hearings. I have been told in substance what occurred before the committee, but I have not read the hearings.

Mr. EASTLAND. I will tell the distinguished Senator that there was utterly no proof that the practices, the occurrence of which on a large scale in the United States this bill attempts to prevent, are existing on a scale of sufficient size to justify or require legislation by the Congress.

Mr. STEWART. I had so understood. I understood there was no proof of that at all. In other words, to that extent the report is more or less manufactured, I take it.

Mr. President, is it more important for us to spend our time in the greatest deliberative body in the world dilly-dallying over an FEPC proposal that very few have asked for and nobody

needs than it is to undertake to press for the solution of the problem of the atomic bomb and atomic research, for instance? The advent of the atomic bomb has created a situation unparalleled in this world. The idea of the harnessing of atomic energy for a destructive force in war was developed in the United States of America, at the cost of over \$2,000,000,000 of American money.

Indeed, this development was created within the confines of my own State of Tennessee, where a great plant now stands and is still operating, although its future hangs in the balance. Is it more important to be giving time to consideration of a puny purpose when there hangs in the balance perhaps the question of interminable delay in the development of peacetime uses of this newly discovered energy?

Hundreds of scientists are awaiting the word to start research which will lead us far beyond the dreams of man. But the word has not come. It is caught up in the endless babble of many voices. Is it more important to be giving consideration here today to a thing which will make man hate man and which will cause strife and discontent so long as man lives and breathes than it is to press for consideration of such problems as atomic energy?

Is it more important to give consideration to the establishment of a commission which would be authorized to violate every right, privilege, and guaranty which American has not only enjoyed for more than 150 years but for which her sons have fought many wars, and under which this country has become great, than it is to be weighing the real vital problems which face us? Is it more important, I ask, to spend our time considering an iniquitous piece of legislation which will repeal almost in toto our Constitution when there are still unsettled in this country—and crying out loud for prompt consideration—domestic problems such as the strikes which have seized and paralyzed industry, strikes which cause men and women to do without food and other necessities of life, strikes which were not brought about by any of the discriminations referred to in this proposed legislation? Is it more important to continue to talk about this iniquitous piece of perfidy—Senate bill 101—than it is to attempt to solve the problem of the housing of returned veterans—veterans who but a few months ago were sacrificing themselves upon every battle front in the universe, veterans from the East, West, North, and South, veterans who carried the battle to the enemy, and who have, by the grace of our great God, returned home victorious?

Is it more important that we undertake to devise some manner and method by which minority groups might overrun and override and abuse majority groups rather than to give consideration to the problem of reconversion of industry, for instance, in our own country?

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Tennessee whether it is true that at the present time we need to have a great many amendments made to the GI bill of rights, in order to give the veterans the rights they were intended to have in the beginning?

Mr. STEWART. I think there is only one part of the GI bill of rights which is working in a practical way, and that is the provisions to enable the boys to continue with their schooling. The GI bill of rights certainly needs many amendments.

Mr. JOHNSTON of South Carolina. I hold in my hand a concurrent resolution adopted by the General Assembly of South Carolina. It reads as follows:

Concurrent resolution requesting the Congress of the United States to pass necessary amendments to the GI bill of rights whereby veterans in accredited schools shall receive monthly benefits for each calendar month until their graduation or severance from said school.

Whereas under the present GI bill of rights veterans who are students in accredited schools only receive benefits for themselves and their dependents during the actual school term; and

Whereas these veterans have no opportunity to earn a decent livelihood during their vacation period; and

Whereas the housing situation is so acute that married veterans are unable to change their residence after entering the school: Now, therefore, be it

*Resolved by the house of representatives (the senate concurring), That it is the sense of the General Assembly of South Carolina that Congress be and the same is hereby memorialized to effect immediate amendments to the GI bill of rights so that all veterans who matriculate in institutions accredited by the Veterans' Administration shall receive monthly benefits for themselves and, in those cases where they have dependents, for such dependents, for each and every calendar month until their graduation from such accredited institution or school, or until they sever their connection with such institution or school by ceasing to be students of the same; be it further*

*Resolved, That a copy of this resolution be sent to each of the Representatives in Congress from South Carolina, the President of the Senate of the United States, the chairman of the Judiciary Committee, and the Military Affairs Committee of the United States Senate to the Speaker of the House of Representatives and a copy to the Judiciary Committee and Military Affairs Committee of the House of Representatives and a copy to the Veterans' Administration.*

Does not that show that the General Assembly of South Carolina believes there is need for amendments to the GI bill of rights?

Mr. STEWART. It shows that today the need for amendment of that law is quite acute. A similar concurrent resolution or petition might have come from the legislature of any other State of the Union. But suppose the Congress desires to have amendments made to the GI bill of rights; what possibility of it is there now?

Mr. JOHNSTON of South Carolina. It simply shows that under the present situation no such amendments can be made. We can attempt to submit them or to submit other remedial legislation, as we have done many times during this



debate, but one Senator can object and can thus prevent the submission or introduction of such measures. Therefore, all legislation is tied up here.

Mr. STEWART. Suppose the Senator from South Carolina had introduced such legislation and suppose it had gone through all the channels and had observed all the rules and protocol, and so forth, and was on the calendar, next in line; how could it be brought up?

Mr. JOHNSTON of South Carolina. It could not be brought up, under the situation presently existing in the Senate.

Mr. STEWART. That is correct.

Mr. JOHNSTON of South Carolina. I personally lay the blame on those who brought up the FEPC bill, because they knew it would cause extended debate for days and days, and probably for months.

Mr. STEWART. Certainly.

Mr. President, is it more important to be giving consideration to this FEPC legislation, which will only produce strife and discord, than it is to be giving consideration for instance, to world peace, at a time when commissions representing all governments in the land have gathered upon foreign soil for the purpose of working out a plan which will guarantee to the world eternal peace—not merely a plan which will give minority groups equal treatment, but one which will give all groups and governments final and complete protection.

Is it more important to be spending our time on the Senate floor in a so-called filibuster which has been forced upon us at the insistence of unreasonable minority groups who no doubt are undertaking to bring political pressure upon the Senators from their States, than it is to be giving thought and attention for instance to the building, throughout the country, of schools and roads—not only roads for the benefit of transcontinental travel, but rural roads which are so seriously needed in so many States of the Union?

Is it more important to be spending our time, day after day, week after week, on this political measure which has been forced upon the Senate by pressure from a small segment of minorities in the United States, than it is to be giving attention to the surplus-property problems with which we have been shadow-boxing for a year? Is it more important, I ask, to continue the debate we are engaged in so that a few Communists who have been sitting in the galleries may be entertained, than it is to give consideration to the passage of a real law which will guarantee to every veteran in the country, and especially the small businessmen, the opportunity to purchase billions of dollars worth of surplus property which has been playing hide-and-seek all over the world since even before the war came to an end?

I speak of surplus property. I have spoken of surplus property many times on this floor and elsewhere. I have made the statement in this Chamber that the solution of the surplus-property problem lies with this administration and with Congress. I have also made the statement that it is within the bounds of a possibility for the surplus-property prob-

lem to create a stench greater than that of the famed Teapot Dome, which also followed shortly after a great world war. Let us talk about surplus property for a moment. What is happening in that respect? Who knows? Is anyone willing to stand up and give evidence of the kind and character of surplus property secrets? What has become of it?

Mr. EASTLAND. Mr. President, does not the Senator from Tennessee believe that veterans are being treated outrageously with regard to the way in which they are being allowed to obtain surplus Government properties?

Mr. STEWART. Yes. I will pay my respects to that subject within a few minutes.

Mr. EASTLAND. They receive what may properly be referred to as a license to go all over the country hunting for surplus property, and to be turned down by one bureaucrat after another.

Mr. STEWART. They do not receive anything. All they receive is a fishing license. They go on fishing expeditions and they do not come back with even a minnow.

Mr. JOHNSTON of South Carolina. Mr. President, how many discharged soldiers has the Senate heard of who have been able even to buy an automobile through the officials handling surplus property?

Mr. STEWART. Not any. I have heard—it is based only on hearsay—that a certain discharged soldier obtained a jeep, which had only three wheels.

Mr. President, I wish to discuss further the subject of surplus property. Approximately 6 months ago I said in this Chamber that there was grave danger that the surplus-property problem would create a stench greater than the stench which was created by the Teapot Dome scandal.

Mr. EASTLAND. Does the Senator from Tennessee believe that the proponents of the pending bill have prevented the Senate from considering legislation designed to rectify the situation to which he has referred, and make it possible for veterans to obtain surplus property?

Mr. STEWART. The Senate has been required to give so much attention to the iniquitous measure now pending before us that the Members of the Senate have had no time in which to give consideration to any other bill.

Mr. EASTLAND. And the responsibility for that situation lies on the shoulders of the sponsors of Senate bill 101, does it not?

Mr. STEWART. Yes; the responsibility rests upon their shoulders. Some of us are fighting because we feel compelled to prevent so far as we can the creation in this country of a bureaucracy such as would be created if the pending bill should become a law. Under the bill the Commission, with its headquarters in Washington, could judge the case of any person against whom it brought charges, for example, a person living in Mississippi, and arrive at a decision in Washington. A representative of the Commission could gather evidence, snoop around an individual's private files, obtain information and perhaps falsify it. Will Senators, and especially the pro-

ponents of the bill, tell me that a situation of that kind would not cause trouble? I assert that it would, and because of it some of us are fighting to defend ourselves.

Mr. EASTLAND. As I understand the distinguished Senator from Tennessee, he believes that the passage of Senate bill 101 would destroy American institutions and our system of government.

Mr. STEWART. It would do more than that. It would foment strife and revolution in this country.

Mr. EASTLAND. The Senator knows that it required several years of bloodshed and revolution to set free the American people. Several years of experiment were required under the Articles of Confederation before our forefathers obtained sufficient experience to write the American Constitution. It required months and months for a constitutional convention to devise that great document. Yet here we are in the Senate of the United States, in the year 1946, being asked to destroy our Government and its institutions within a period of a few days. Does not the Senator believe that conditions have arrived at a low ebb in this country when a bill so revolutionary as the pending bill could secure what has been stated to be a majority vote of this body, thus forcing men who love their country and the American Constitution to resort to dilatory tactics in order to defeat it?

Mr. STEWART. I do not know, but in my mind there is no doubt that the group which has been fighting in an attempt to prevent the passage of this bill is rendering to their country a definite service.

Mr. EASTLAND. Does the Senator know that the day this bill was taken up its sponsor the Senator from New Mexico [Mr. CHAVEZ] urged that the bill be passed that day?

Mr. STEWART. But the bill was not passed that day.

Mr. EASTLAND. And that he urged the passage of a bill which would ultimately destroy this country? Does not the Senator believe that other Senators from Southern States are performing a great service to all the people of America by preventing the passage of such an iniquitous, revolutionary, and communistic piece of legislation as is the pending bill?

Mr. STEWART. They are probably saving the country.

Mr. President, let us recur to the question of surplus property. I cannot allow the subject to pass without referring to it. Let us see what has happened to surplus property. Who knows what has happened to it? Does any Senator present know what has happened to it? May we have just little inkling of what has taken place, I do not know anything about it.

Mr. EASTLAND. I know that everybody, except the veterans, is obtaining surplus Government property.

Mr. STEWART. I have not seen any person who has received very much surplus property, and I know that veterans are not receiving any whatever.

Mr. EASTLAND. I know of some business organizations which have received

surplus property. I know of men who have received surplus property who were never in the armed forces. I have not yet seen a veteran who ever received any surplus property.

Mr. STEWART. I do not believe I can cite any person except the one to whom I referred who obtained a three-wheeled jeep. I suppose that jeep is hobbling along as best it can.

Mr. President, I have been interested in the subject of surplus property because of my connection with the original legislation on the subject, and my connection with the Small Business Committee. A year ago I introduced a bill which would provide for a central body to have authority over the matter, and which would require an over-all inventory to be made. I have been concerned with the matter for a long time.

A while ago I asked a Senator what had become of surplus property. Allow me to relate two or three occurrences. I live near Camp Forrest and I was told recently while I was in Tennessee that a surplus-property sale had been advertised at Camp Forrest.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. JOHNSTON of South Carolina. I know that the Senator from Tennessee is very much interested in this subject. Every other Senator with whom I have talked seems to be worried about what may happen to Government surplus property.

Mr. STEWART. The dangerous aspect of the situation is that what is to happen has possibly already happened. I do not know.

Mr. JOHNSTON of South Carolina. Many people throughout the country wish to obtain Government surplus property. Much of it is slipping through their hands in one way or another and is going, perhaps, to those whom we did not wish to obtain it. It is time we were spending our time on the problem instead of spending so much of our time on the FEPC bill.

Mr. STEWART. The Senator is entirely correct.

Mr. JOHNSTON of South Carolina. I hold in my hand a resolution adopted by the Senate of South Carolina urging me to do what I can to prevent the passage of the FEPC bill, and even do away with the Executive order creating the present Committee on Fair Employment Practice.

Mr. STEWART. All we can do is stand here and fight, because what good will surplus property do if the FEPC bill shall be enacted?

Mr. JOHNSTON of South Carolina. It will not do a bit of good.

Mr. STEWART. I was about to relate an occurrence having to do with surplus property. I live near Camp Forrest, in Tennessee, which was rather a large camp during the war. I was told just before the holidays that a surplus-property sale was advertised to be held at Camp Forrest. I do not know how many veterans attended the sale. Some estimated the crowd at perhaps three or four hundred. Veterans came from nearby towns; indeed some came from other States.

On arriving at Camp Forrest they were told that the property which had been advertised for sale on the day they attended had already been sold the day before. They were just a day late. They were all veterans, they had the certificates which they thought entitled them to preference; but the surplus property was gone. I have gotten the names of some 50 or 60 of those young men and have written letters to them to ascertain the correctness of the statement I have just repeated. I got the names only recently, and have not had time to get the actual truth about the matter. The story that was given to me was that they held quite an indignation meeting. Someone got up on a box and said, "All you boys come here and let us talk about this. We came here in response to an advertisement that surplus property would be sold, trucks, jeeps, and so forth. It has all been sold already. It was sold yesterday." They could not understand it. That is the way things seem to happen to the veterans and to the small businessman. They arrive either too late or with too little.

I might explain here what I mean by "too little," and in doing so I have but to refer to the story which I told on the floor of the Senate a few weeks ago of a young sailor, whose name I will furnish if necessary, for he has since been discharged from the service. He wanted to purchase a jeep which had been advertised at a place near Washington, as I recall. He was told that he could not purchase just one jeep, because they were selling them in blocks of 30. Of course this youngster did not have enough money to purchase 30 jeeps, but he might have bought one. He was not "too late," but he had "too little."

On the front page of the Washington Post a few days ago there appeared a story involving a captain who had served his country in World War I, and had just been discharged from service in World War II. He lived at Harpers Ferry, W. Va., and his desire was to resume a business in which he had previously been engaged, which required the use of a truck. He had a veteran's preference and made application for the truck late in September or early October, but just before Christmas had not gotten it. In the meantime the captain had been pushed around from pillar to post in the well-known game of hide and seek which the surplus-property experts seem to be playing, until he had worn himself out, and had reached such a point that he was ready to give up in his effort to purchase one truck out of the millions the Government has for sale.

He said that he first went to the Department of Commerce and was referred to eight different individuals before he finally found a man who knew anything about surplus trucks. This man was out of town that day, but an obliging and courteous secretary gave the captain an armful of blanks to fill out. He carried the blanks home with him, and, with the aid of members of his family, attempted to execute them.

The next day he returned to the office of the man who had been absent from

his office on the occasion of the first visit, and found him at his desk. The man examined the blanks which had been given the captain the day before, and said, "These blanks are now obsolete; you will have to fill out some others." Patiently, painstakingly, and, shall I say, hopefully, this man, who had served his country in two wars and wanted to serve his country as a small businessman, had to start all over again. The story of how he was treated is positively revolting. I do not know whether he has yet gotten his truck. I have not inquired within the past 30 or 40 days. It is probably a little too early yet for me to make inquiry, but perhaps I shall do so sometime this spring or maybe in the summer. I think, however, I should ask him only for a progress report.

These stories tell things that we hear almost every day about surplus property. Something is happening in this surplus-property situation. I don't know what it is and nobody else knows, but when the time comes to check up and when an investigation is held, I believe there will be uncovered things which will shock the conscience of even the communistic groups which have been pressing their representatives in connection with this FEPC bill.

I have introduced legislation covering the surplus property question. I have sought from the very beginning to have one central control and authority for surplus property, and have the law amended so as to give the small businessman and the veteran an opportunity to be favored, but it has been impossible to accomplish this because the administration apparently has been and is more interested in controversial matters which sow the seed of discord and dissension among Americans of different nationalities.

I repeat, something is happening in the field of surplus property. Maybe speculators are purchasing this property. I believe that small businessmen and veterans are being purposely elbowed out of the picture every time they approach the scene of a sale. I do not know what is happening, but I fear the "sheep are in the meadow and the cows are in the corn."

I have said that the Communists are behind this move and that the galleries have been filled with them ever since this debate started. At this point I want to read an editorial from the Memphis Commercial Appeal, one of the great newspapers of Tennessee and the South, which refers to this very subject. The editorial is as follows:

When New Mexico's Senator CHAVEZ called up the permanent fair employment practices bill the Senate gallery was filled with some 500 members of a delegation led by a New York Communist. He was Benjamin Davis, Negro Communist member of the New York City Council. The delegation represented 50 Communist-front organizations.

At a Washington rally held in conjunction with the delegation's appearance, Davis was fulsome in praise of all things Communist and caustically critical of all who oppose the effort to cram the FEPC measure down the national throat while the people are caught up in an economic revolution. American Communists are not interested in anything rightfully coming under the classification of fair practices. They are opportunists. Their



chief objective is to create dissension, and an enacted Fair Employment Practice Act would provide a means for spreading dissension. Discussion of the bill provides opportunity to further the same end.

A Communist, as a rule, is a no-good sort of a fellow. He will not work; he is an agitator. Who ever heard of a Communist actually doing a respectable day's work at anything except agitating? They are troublemakers; they go about mouthing, smelling, snooping; and they want everyone to be subservient to their desires and under their control and under the dominion of the ideas with which they undertake to permeate the atmosphere.

I continue reading from the editorial in the Memphis Commercial Appeal:

The pending FEPC bill, if passed, would have the opposite effect to what is intended, and its greatest ill effects would be felt in the very areas represented by its Senate supporters.

Those it is intended to help would be those most grievously injured by its enactment. This is one of the chief reasons why it is being so vigorously opposed by those who are more conscientious in their regard for the well-being of those it is intended to aid than are those who are supporting it. The only interest of a great many of the latter is self-interest in a senatorial election year.

The motive for Communist support and backing is part and parcel of an established pattern of political philosophy; and when any measure gets the quality of Communist support and the amount of Communist agitation for passage as the FEPC bill is getting, it becomes something for every honest American to examine closely.

The representatives of 50 Communist-front organizations who journeyed to Washington in behalf of FEPC have done the American people a great but unintended service. The identifying label they have pinned on that measure couldn't be misunderstood by anyone.

It will be noted that this editorial states that Benjamin Davis, a Negro Communist and a member of the New York City Council, was present with 500 other Communists from New York and that at the rally held in Washington for the benefit of those in attendance Davis praised all things communistic and criticized those who opposed FEPC.

Mr. President, do you want any more proof that this thing is being fostered, sponsored, and supported by Communists? If you do, let me turn to a letter written by a southern Negro and printed in the Newark (N. J.) Evening News under date of November 1, 1945, at a time when another race argument was being bandied about in the headlines throughout the country. This Negro's name is Charlie Lee White, and I read his letter in full:

This continual arguing back and forth about the DAR is so childish it seems to me that the real cause of all the trouble should be put before the people. The Communists in this part of the country have caused so much trouble and disagreement between the races it is about time we got after them and chased them out of the country so that we can plan a peaceful future.

In the first place, the Communists have been working for years to cause not only trouble between the North and the South, but to cause trouble between the races.

The whole organization is based on deceit. They have spurred the Negroes to demand

things they sincerely do not want—such as moving into white neighborhoods, demanding entrance into white institutions, even intermarriage. This is not the Negro's idea of equal rights—that is, the intelligent Negro. I am a Negro with a college degree, and I most certainly want my race to have certain privileges, but being an intelligent person I certainly don't approve of the Communist propaganda which has fired the Negro's demands for such privileges to the point where he may marry with the white man.

I came north from Tennessee 14 years ago. My mother worked for a white family and helped raise their children. They paid her a reasonable salary and gave her an ideal home. I worked on this estate for several years before entering a Negro university. To this day I correspond with the family, and only deep devotion remains, though my mother died several years ago, and the entire family—the white family for which she worked—attended her funeral and wept for her.

I invite the attention of the Senator from Mississippi [Mr. EASTLAND] to the letter I am now reading, which is from a Negro who came north from Tennessee and entered a Negro university, because the Senator asked me whether the southern white man was a friend of the colored man.

Is there any such devotion in the East between the white man and his Negro help? There is not. Communism has destroyed all that is fine in these relationships. However, I would never even consider dining at the table with this fine white family, or even entering their church, for I would much rather be with my own people in a place exclusively for them. The Communist has done his best to try to make the less intelligent Negro think differently. He has encouraged him to demand entrance to white hotels, organizations, and I was told of a case where Negro girls entered a white beauty parlor and demanded service.

This makes me ashamed of my race, and no Negro with any intelligence would consider such things or be so impressed with Communist propaganda that he would be led to such actions. If we, as a race, are given good living conditions, a chance to make a decent living, and an opportunity to have our own clean hotels, hospitals with our own Negro staffs and nurses, our own churches and schools where our own teachers might teach, then and then only will we lick communism. Some of my dearest friends in the South are among white people, and I do not expect any Communist-contaminated Negro or white to understand this relationship. I have no enemies among the white men, and I have no desire to enter his institutions—hospitals, schools, etc.—but when that is the only decent place for me to go, what am I to do? There should be money to finance a Negro hospital with a Negro staff, especially when the number of Negroes in that city warrants an institution of their own. My children would be much happier in a school where only Negro children attended, and where only Negro teachers teach. That is all we ask.

That letter, as I stated just before the Senator came into the Chamber, was printed in the Newark (N. J.) Evening News when a race question was being agitated in October 1945. The letter is full of fine common sense and full of wonderful understanding and judgment.

Mr. EASTLAND. Mr. President—  
The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. STEWART. Yes; I yield for a question.

Mr. EASTLAND. I agree with the Senator that the letter is very intelligently written and that what the writer says is correct. But is not the distinguished Senator afraid that he will be branded as a Fascist and a reactionary if he takes a stand here against racial amalgamation and social equality?

Mr. STEWART. I refer again to the letter. I think the intelligent and understanding people of the country agree with the sentiments expressed in the letter, and I believe they are in the majority. Of course, the minorities always make the loudest noise. I remember as a youngster when I was in grammar school a school teacher said, "Always remember that the empty wagon rattles louder as it goes down the road."

No, Mr. President; I have no fear. I do not care what the Communists think about me. What they think about me is not half so bad as what I think about them.

Mr. EASTLAND. Mr. President, will the Senator again yield for a question?

Mr. STEWART. Yes.

Mr. EASTLAND. Does not the distinguished Senator agree with me that we do not believe in the kind of democracy that the Communists and the radical left-wing group preach in this country?

Mr. STEWART. They do not preach democracy.

Mr. EASTLAND. They preach totalitarianism.

Mr. STEWART. They preach absolute Government control of everything. And they will not work. Did the Senator ever see one of them who worked?

Mr. EASTLAND. And here is a bill which is shot through with totalitarianism in every sentence.

Mr. STEWART. That is true. If bullets could be made out of totalitarianism, the bill could be shot at all day and there would be nothing left of it but holes.

The letter I have just read was written by a fine character who, by the way, is from my State of Tennessee. The Senator did not hear me say that. The writer speaks of the affection he has for the white family with which he lived, and how it continued through the years, and that he is still corresponding with them. I believe this letter has in it more genuine sense than any statement I have seen recently. There is no question that the writer is absolutely correct, and having been reared in the South he knows the problems that exist there. He has drawn, in this letter, a picture of the devotion and genuine affection that exists between the better elements of the two races. Each one respects the other and believes in the rights, privileges, duties, and responsibilities of the other.

The expression "equal rights" has been bandied about for many years. It has been talked of on many different occasions; occasions other than when race problems were being considered. People have been told throughout the land that they have a right to do this and they have the right to do the other and so on until many have been led to believe that they are not being given any rights of

any kind or character. That is the Communist method—"Demand your rights." But little thought is being given to the duties and responsibilities which citizens owe to the community in which they live; little thought is given to the duties and responsibilities owed to the Government which has protected us during the years. Little thought is being given to the duties to Government because people are constantly being told by political and communistic agents that they have rights! rights! rights! Have people become blind to their responsibilities toward their Government? But out of it all we have the letter from a colored man who recognizes his duties and responsibilities and who knows what the word "rights" means in a democracy.

I was surprised and disappointed that President Truman saw fit to recommend to the Congress in such strong terms the passage of this bill which, as I have repeatedly said, can do nothing but bring trouble to the American people. I was disappointed because there are so many other important matters to which we should be giving thought now. I was disappointed because I fear he is playing politics with a delicate matter of human rights and duties, a matter which involves complicated problems in a democracy of human relationship and association of different races which are now struggling to find a solution.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. EASTLAND. Does not the Senator think the Senate ought to be considering legislation for the welfare of the American people as a whole rather than a bill which caters to and throws out some bait to this organized minority and that organized minority in order to get some votes here and get some votes there?

Mr. STEWART. There is no doubt in the world that if we are to survive we must consider and act upon legislation to promote the welfare of the American people as a whole.

Mr. EASTLAND. We are now here catering to minorities as against the welfare of most of the people of this country?

Mr. STEWART. Somebody is doing that, precisely. I am not catering to them.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. OVERTON. I know that the able junior Senator from Tennessee is a Democrat. I assume, without making any inquiry at all, that all the Stewarts of Tennessee related to the able Senator are Democrats.

I am a Democrat, born and bred as such. My father before me was a Democrat, and all the Overtons who originally came from Tennessee are Democrats.

Mr. STEWART. I am happy to say that I know of them, and if the Senator needs it vouched for at any time he can call on me and I shall do my very best for him.

Mr. OVERTON. I am sure the Senator can vouch for their democracy.

Mr. STEWART. That is correct.

Mr. OVERTON. My father was a Democrat during the dark days of reconstruction and of carpetbagism, when to be a Democrat it was necessary for a man to sleep with a shotgun at the head of his bed. We know what democracy is in the rock-ribbed democracy of the South. I ask the able Senator from Tennessee, is it not passing strange that during the past few years of a Democratic administration, which is largely, if not exclusively dependent for its success at the polls upon the electoral vote obtained from the Southern States there have been brought to the fore in the Senate bills which are so obnoxious to southern democracy? They have been brought before the Senate with the approval of the administration in power, and with the vote of committees the majority of the membership of which is Democratic. Is it not true that there was first launched against us the anti-lynching bill, which had absolutely no justification because it involved a matter of State regulation and control, as does any other case of homicide? It had no justification because the Southern States have practically solved the problem of lynching. There has been only one in the past year, and I think the previous year there were none at all. I am not sure of that, however.

Then a Democratic administration, with the approval of a committee headed by Democrats, brought out the anti-poll-tax bill, which is obnoxious to the South. None of those bills has received congressional sanction. Thank heaven for that. That fact has been due, however, to the strong and sturdy opposition of southern democracy.

Mr. EASTLAND. That is the real democracy.

Mr. OVERTON. Is it not a fact that this bill, apparently aimed at the South, is now being brought out with the blessing of a Democratic administration, sponsored by a Democratic Senator, among others, and reported by a majority vote of a committee composed largely of Democrats? How long will the National Democratic Party continue to bite the hand that feeds it? That is the question which I wish to ask the Senator.

Mr. STEWART. Mr. President, I thank the very distinguished Senator from Louisiana for the contribution which he has made. He always makes a valuable contribution. His observations are quite pertinent.

Mr. EASTLAND. Mr. President, I should like to answer the question of the distinguished Senator from Louisiana. He asked the Senator from Tennessee a question which I should like to answer.

Mr. STEWART. Let me proceed for a moment, and then I shall be glad to yield. The answer appears on the page which I hold in my hand, and the succeeding page.

I am sure that the thing which inspired the observation and question of the Senator from Louisiana was the statement which I made, that I was deeply grieved and disappointed that President Truman saw fit at this time to suggest the passage of this FEPC bill, at a time when we are undertaking to pull ourselves out, so to speak, from the

mud, the muck, and the mire in which we have been buried for the past 3 or 4 years during the war. Nearly always following war there is a period of unrest and hysteria, a period when we grope about to find out what the changes which war hath wrought mean. Here we are in the midst of it, when we should be giving consideration to the measures to which I have referred by the dozen—measures looking toward bringing boys home from the Army; measures dealing with surplus property, so that veterans may obtain it, and many others. We are groping about trying to find our way through reconversion. During such a time the President saw fit to send a message to the Congress demanding that attention be given to one of the most contemptible and controversial measures that has ever been brought before this body, one that would send snoopers and investigators to the far corners of this country, one under which a defendant, even though he might live in California, would be tried in Washington before a prejudiced board in a prejudiced case. I am sick and tired of such controversial measures.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. EASTLAND. Has the Senator read the judicial code of the Soviet Union?

Mr. STEWART. No; I have been busy with other things.

Mr. EASTLAND. The similarity between the procedure set forth in Senate bill 101 and the procedure established for courts in the Soviet Union is uncanny. If the Senator will indulge me for making this reference at this time, I intend to speak on that point before this debate is concluded.

Mr. STEWART. Recurring to the question of this matter being recommended at such an unfortunate time by our President, I wonder who, besides Communists, has insisted to President Truman that this measure be considered at such a touchy time as this? I have said that it is politics, pure and simple, and I think that is what it amounts to. I wonder if the chairman of the Democratic National Committee, Mr. Hannegan, who is presumed to advise with his chief on political questions, advised President Truman that he thought this FEPC bill was politically expedient at this hour. Is that where it came from? I know it came from the Communists. We have been smelling them around here for 3 weeks.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. OVERTON. The Senator does not have to eat a whole beef to tell whether or not it is tainted.

Mr. STEWART. No, thank God. Therefore, a man sometimes has a chance to survive.

I wonder if the chairman of the National Democratic Party, when he advised—if he did—that this political measure be brought up, knew or gave any thought to what it would do to the South, and if he thought of the South,



which has been traditionally Democratic. I wonder if Mr. Hannegan and Mr. Truman carefully weighed the consequences of this iniquitous piece of legislation throughout the entire country. I wonder if the judgment of Mr. Hannegan, when he advised the President—if he did; and I presume he did, because he is supposed to advise him on political matters—was as good as it was when he advised his friend Dickman to run for mayor of St. Louis, only to see him go down in overwhelming defeat. I wonder if his judgment here is as good as it was in connection with the matter referred to by the Senator from Missouri [Mr. DONNELL] in the speech he made in this Chamber on May 7, 1945, when he placed in the RECORD numerous newspaper articles charging that this same Mr. Hannegan had advised against seating the then newly-elected Governor DONNELL. I wonder if his judgment was as good then, when he was defeated, as it is now. I am talking about his political judgment.

I wonder why Chairman Hannegan has forgotten to remember that his responsibility as Democratic National Chairman requires him to take into consideration vital problems of the South as well as other sections of the country. I am wondering whether Chairman Hannegan has fallen for the talk that went the rounds following the last election of President Roosevelt, to the effect that he had been elected without the vote of the South. I am wondering if Messrs. Hannegan and Truman are playing for the votes of other States of the Union to the exclusion of the South in the hope that President Truman will be nominated in 1948 without southern aid; and I am wondering also, since I have said this is a piece of political legislation, whether they do not have in mind that after President Truman receives the nomination without the aid of the South, the so-called yellow-dog Democrat of the South will be expected to support the then nominated President in the general election of 1948. Ah! how long-suffering southern Democrats have been.

Does that answer the Senator's question?

Mr. OVERTON. Very largely; and I thank the Senator.

Mr. STEWART. I say that this bill should be defeated on its merits alone, as a piece of political legislation. So far as I am concerned, I intend to keep my eye on Chairman Hannegan from now on, for this and other reasons.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. OVERTON. The Senator has very correctly made the observation that this is a political measure. It is intended to get votes for the national administration now in power. At least there is no doubt about that in my mind. I do not think there is any doubt about it in the mind of anyone, whether he be a Democrat or a Republican, if he has given any thought to the origin of this measure and its daddy and granddaddy, the anti-poll-tax bill and the antilynching bill. I ask the Senator if he does not agree with me that the purpose is very largely to enable the national Democratic administration to

hold within its ranks Negro votes from pivotal States, and probably add to the number of Negro votes from such States.

Mr. President, I feel very friendly toward the Negro. I believe that all of us in Louisiana feel friendly toward him. We have no trouble with the Negro, politically or otherwise. So far as Louisiana is concerned, very few of them vote. They are perfectly well satisfied with the government of Louisiana, as it is being conducted today.

But, Mr. President, the question I wish to ask the Senator is whether the National Democratic Party realizes that ultimately the Negro is going to come to the conclusion that his permanent friend, his steady friend, his fast and certain friend is, not the Democratic Party, but the Republican Party? Is not the Negro going to come to the conclusion that out of a sense of gratitude he owes fealty to the Republican Party? Was it not the great emancipator, Abraham Lincoln, who broke the shackles from the Negro's wrists and gave him freedom? Was it not the Republican Party which placed in our Constitution the fifteenth amendment, giving the Negro the right of suffrage? Was it not the Republican Party that, following the War Between the States, undertook to place and did place the Negro in political power in the Southern States? Is the Negro going to forget his obligation to the party which made his race free, which gave it political power, and which gave it political prestige? Is he going to go astray and worship after false idols and false gods? Is he going to surrender the birthright and heritage of his race, politically, for a mess of pottage which might be thrown out by the present national Democratic administration?

As a Democrat whose forebears have been Democrats and whose democracy cannot be impugned, I wish to say that it would be infinitely better for the Negro to adhere to the Republican Party, rather than to the Democratic Party.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question, but I do not wish to lose the floor.

Mr. CAPEHART. I understand, and my request is made with that in mind.

Mr. President, are we to understand from the able Senator from Louisiana that the Democratic Party does not wish to have the vote of the Negro?

Mr. OVERTON. So far as the southern Democrats are concerned, I can say "Yes"—unquestionably so, so far as the great majority of southern Democrats are concerned. We do not want the Negroes in the party. They do not belong in the Democratic Party.

Mr. EASTLAND and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. STEWART. The Senator from Indiana has not completed his question, I believe.

Mr. CAPEHART. Mr. President, I wish to say that I see no connection between wanting the vote of the Negroes and the question before the Senate at the moment. Let me say that we in the Republican Party want the votes of the

Negroes of America because they are Americans.

Mr. OVERTON. You want them because they are votes. That is why you want them, and that is the only reason.

Mr. CHAVEZ. Mr. President—

Mr. STEWART. I yield to the Senator from New Mexico.

Mr. CHAVEZ. There is no question in my mind that some politics are involved. I have no question as to that.

Mr. OVERTON. Certainly.

Mr. CHAVEZ. And that is true as to both sides, too, I state to the Senator from Louisiana. Some Senators may now be in their home States, campaigning on the basis of this debate.

But would the Senator from Louisiana and the Senator from Tennessee go so far as to say that even in the Northern States if a voter happens to be of the colored race he should not be allowed to vote for a Democrat who happens to be a candidate for the Senate?

Mr. STEWART. I did not understand the Senator from Louisiana to say that the Negroes should not be allowed to vote.

Mr. CHAVEZ. Very well. If the Negro did not vote the Democratic ticket in Ohio, Illinois, Indiana, Pennsylvania, and other States, what the Senator from Louisiana has stated might be correct, namely, that some other persons might be elected. But we want the Negroes to vote the Democratic ticket in Indiana and in all the other States, so that we may be able to have a majority of the Senate on this side of the aisle and be able to reelect the Senator from Tennessee as President pro tempore of the Senate. I do not want the Senator from Ohio, a Republican, much as I love him, to be President pro tempore of the Senate. I want the Senator from Tennessee to be chairman of the Committee on Appropriations. I am satisfied with the Senator from Texas [Mr. CONNALLY] as chairman of the Committee on Foreign Relations. But how are we going to obtain a Democratic majority in the Senate and have the Senators who now hold them retain their chairmanships unless we get the votes of the Democrats in the North?

Mr. OVERTON. The Senator means to say "unless we get the Negro vote."

Mr. CHAVEZ. Very well; unless we get the Negro vote.

Mr. OVERTON. So we are indebted for these chairmanships to the Negro votes from the North, and that is the reason why this bill is here. Let us be perfectly frank about it. If it were not for the political issue involved, this bill would not be on the floor of the Senate of the United States.

Mr. CHAVEZ. Mr. President, the Senator from Louisiana knows that I am devoted to him and have great affection for him.

Mr. OVERTON. I know that, and the feeling is mutual.

Mr. CHAVEZ. I tell the Senator again that I am for this bill because I honestly believe in fair play for everyone. That is the way I feel about the matter. I am not questioning the motives or integrity or sincerity of purpose of anyone who may oppose the bill, but I believe in the bill because I believe it will apply

to all; I believe that opportunity should be afforded to all; I believe there should be equality of opportunity for all persons. The Negro is only an incidental consideration in connection with the bill. In the South there has never been any trouble, and there was no trouble during the war.

Mr. STEWART. But we will have trouble if this bill is passed.

Mr. CHAVEZ. Oh, no; that is merely politics on the part of Tennessee. We can also be accused of playing politics.

But, Mr. President, suppose politics is involved, and suppose we Democrats do not work for liberal rule, for equality of opportunity for others. Then I would not blame the Negro for going back to the party of his fathers. If a few Senators can keep the majority of the Senate from expressing its opinion one way or the other, then I do not blame the Negro for being resentful. Then he would say, "Mr. Senator, we elected you for this particular seat in the Senate and we know that you are for us, but you cannot do anything about it. Eighteen or nineteen other Senators can keep you from voting. So we are going to go back to the party of our fathers."

That is what would happen, and I would not blame the Democratic National Committee chairman if he did something about it. I wish he would. I have been complaining because he has not done anything about it. The Senator from Tennessee complains because he is supposed to have something to do with it. I have not heard from him. I wish I would. I think it would be in the interest of the political job he is now holding.

Mr. STEWART. I have not complained about political votes, if the Senator has been directing his remarks to me. The Senator was addressing the Senator from Louisiana upon that point. Of course, this bill does not affect the right of suffrage of anyone. It affects the matter of employment, or is supposed to. So far as the Negro vote is concerned, Negroes vote in most parts of the State of Tennessee.

Mr. CHAVEZ. Personally, I hope they vote the Democratic ticket in Tennessee.

Mr. STEWART. I wish to say to the Senator from New Mexico, the Senator from Louisiana, and all other Senators that, as they remember, the Negro voter left the Republican Party when he became hungry under a man named Hoover. That would drive anyone out of a party.

#### FIRST SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION ACT, 1946—REPORT OF APPROPRIATIONS COMMITTEE

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. STEWART. I yield to my colleague.

Mr. McKELLAR. From the Committee on Appropriations, I beg leave to report House bill 5158, an act reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, and I submit a report (No. 919) thereon, which is attached to it.

The PRESIDING OFFICER. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. I will if I may have permission to do so.

Mr. STEWART. Mr. President, I am willing to yield to the Senator from Nebraska, but I do not wish to lose the floor.

Mr. WHERRY. I agree as to that. I simply would like to have the senior Senator from Tennessee tell us again what the bill is.

Mr. McKELLAR. It is the bill which we passed, but which was vetoed on account of the United States Employment Service item. Elimination of that item was made, and the bill has passed the House of Representatives and is now on the Senate Calendar.

Mr. WHERRY. Is it the so-called rescission bill in respect to \$55,000,000,000 or \$56,000,000,000 worth of contracts which are to be terminated?

Mr. McKELLAR. That is correct.

Mr. WHERRY. Does not the bill involve contracts of that amount?

Mr. McKELLAR. The amount involved is in that neighborhood. I believe it is a little less than the Senator from Nebraska has stated.

Mr. WHERRY. The bill has now been reported and will be placed on the calendar; is that correct?

Mr. McKELLAR. Yes.

#### APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. MEAD. Mr. President, will the Senator yield to me?

Mr. STEWART. I yield for a question.

Mr. MEAD. I was very much interested, a few moments ago, when the historical political affiliation of the Negro was brought into the discussion and it was pointed out that the Negro's loyalty to the Great Emancipator would, no doubt, have a fixed determination or effect on his political support and affiliation. The Negro, like everyone else, has a lasting admiration for the Great Emancipator. He has made his place in the history of this country and the history of the world secure for all time to come.

But the Senator touched the real situation which affects the Negro when he mentioned the Hoover administration. The Negro when he votes is not going to have in mind only the splendid administration of the Great Emancipator. It would be a reflection on his intellect if, for all time to come, regardless of his well-being, he were to vote only the ticket of the Republican Party. In New York, as the Senator well knows, the Negro supported the successive administrations of Franklin Delano Roosevelt because he realized that in his day President Roosevelt had the well-being of the Negro at heart, just as did Lincoln when he was alive. In our State we welcome the Negro into the Democratic Party just

as we welcome anyone else. I may say to my distinguished colleague that in the other House the man who represents the district in New York which is composed largely of colored people, is a Democrat, and a colored man. In the State Legislature of New York the majority of representatives who were elected in the district to which I have referred are and have been Democrats and colored men.

The colored man of today, recognizing the fact that the Democratic Party is the great liberal force of America, the party which is more interested in the well-being of the working class than is any other party, supports, as a usual thing, the Democratic candidates. The Democratic Party is deeply concerned in legislation of the character of that proposed by the pending bill, because it is vitally interested in winning elections so that it may be enabled to make effective its liberal program. Naturally, the chairman of the Democratic National Committee, who has the task of seeing that victory comes to the Democratic Party, and afterward seeing that the pledges and platform of the Democratic Party are lived up to, is found on the side of all of us who are supporting the pending bill. The Negro of today, just as the Negro of the Civil War period, intellectually and effectively supports his friends. He recognizes that in the voice of the Democratic Party, the party of Franklin D. Roosevelt, he has a friend.

Mr. President, the Negroes of this country have accomplished a great deal under the benign influence of the Democratic Party and of Franklin Delano Roosevelt. I am sure that I speak in behalf of my party, and in behalf of the chairman of the Democratic National Committee, when I say that we welcome the Negro vote. We hope the Negro will always remain with us and that we shall continue to give him reason to remain with us.

Mr. EASTLAND. Mr. President, let me ask what could the Negro in the North obtain? A Democratic President is elected, and yet the party machinery, and the most important committees, are controlled by persons who are pictured in the public press as Fascists, arch-reactionaries, and southern Democrats who are opposed to all progressive measures. What do the Negroes receive after the election of a Democratic President, when the very measures which they advocated and for which, indirectly, they voted, are defeated by those of us who are called Fascists in the United States Senate? I do not see what the Negro gains by marching along with the Democratic Party.

Mr. STEWART. Mr. President, although the colloquy which has taken place, and in which several Members of the Senate engaged, has been interesting, I wish to return to the point where I left off and proceed with my remarks.

I have always exercised complete tolerance with respect to all people, be they black, white, yellow, or red. I have always exercised complete tolerance with regard to the subject of religion. I believe sincerely that the exercise of tolerance is highly essential in connection



with matters which involve various races of people, and various kinds and types of religion which are adhered to by the citizenship of this great democracy. I would not take from the white man or the black man any right which he may have of any kind or character, including the right to vote.

When I was interrupted I had made the statement that I thought it was extremely unfortunate that our President and the chairman of the Democratic National Committee had seen fit to permit a recommendation to come to this body calling for the passage of such an unjustifiable and controversial bill as the one now pending. What has just now taken place on this floor demonstrates exactly what I mean. The bill to which I have referred is controversial, and if it is enacted into law it will cause far-reaching consequences. It will cause more trouble than any law which has been written upon the statute books within the past century. I make that statement without knowing, of course, all the laws which have been written upon the statute books within the past 100 years. But, Mr. President, there could not be a more vicious or uncalled-for piece of legislation than is Senate bill 101.

I criticized the chairman of the Democratic National Committee, and the President of the United States for sponsoring such a controversial bill. I made such criticism because there are more serious national and international problems confronting us than are the problem or problems which are involved in the pending bill. Yet, we are forced to stand here week after week and mess around with a little picayune bill that would cause nothing but strife. I do not oppose any man merely because of his race, creed, color, and national origin, or his present location.

I want everyone who lives in this country, if he is a citizen, to have the rights guaranteed to him by the Constitution that was adopted at the beginning of this Government. I propose, as one who has taken an oath to defend the Constitution, to stand up by that obligation.

I was criticizing our two leaders, the President of the United States, and the chairman of our national committee, for recommending at this time that this controversial thing be brought up before the Senate, not only at a time when we should be considering other matters, but because it proposes legislation which is unnecessary. No one is being deprived of employment because of his color, I care not what the hearings show. They were not complete hearings, according to statements made on this floor a few days ago. I repeat that not one-tenth of 1 percent of the population have been discriminated against in industry or anywhere else in this land of ours. No one has been discriminated against because he was a Protestant or a Catholic, because he was white or black, because he was a Jew or a gentile. I challenge the contrary as absolutely untrue, and that situation makes unnecessary this contemptible bill, which would, if enacted, result in nothing short of Communistic control of this country.

Mr. President, I wish to continue my comment about Mr. Hannegan. I have said I was going to keep my eye on him. Mr. Hannegan is doing his party and his country and all the different races a very definite disservice by advising his chief, if he did so—and I assume he did—that the bill before us is good politics. Politics it is. It is nothing but politics, and, as has been pointed out, it is purely and simply a play for minority group votes in this country. For the Negro votes? I may be asked. Yes, and for others. That is purely what it is.

Mr. President, the bill has no place upon our calendar. There is no need for such a law in this country. As I have already said, this Nation is now in the very midst of a superhuman effort to emerge from the chaos and the disorder and the uncertainties which war has brought upon us.

I think an editorial from the Memphis Commercial Appeal of Wednesday, January 23, this year, expresses the feelings of the people and the opinions of the thinking and non-political-minded people of this country. It reads:

Four months ago this Nation and its people completed the most superlative productive and combat undertakings recorded in the history of man.

The Nation is the same. The people are the same. It is the spirit which has gone sour. It is unity which has been lost. It is the achieving rule of give-and-take on fair basis which has been thrust aside. Selfishness is rampant and economic tragedy threatens where there could be prosperity.

The dead of the wars are still being taken daily from isolated graves to 37 well-filled American cemeteries in faraway lands. That will go on until the kindly sun of June warms the earth in which they lie.

In which they lie—for this?

This—this turmoil, this obstruction, this chaos, this dalliance.

This confession of failure.

This great national obscenity.

Again I quote from the January 18 edition of the same newspaper, the Memphis Commercial Appeal, one of the greatest newspapers in the country:

Actually, the FEPC move is opportunism of the most sordid type, and those responsible for it err if they think that it won't be recognized in its true light. If strike-control legislation is held up by a business-delaying opposition to FEPC, it isn't going to be the opposition which much bear the blame.

Now I ask, Is the judgment of President Truman good when he sends a message to Congress and asks us to pass a contemptible, controversial piece of legislation? I ask, Is the judgment of Chairman Hannegan and President Truman good, forcing at this time the consideration on the part of the United States Senate of an utterly needless and trouble-making measure which accomplishes nothing except to make man hate man, a measure for which there is utterly no need and has never been any need? I wonder if this might be looked upon as another sort of Missouri Compromise.

Just the other day the House of Representatives of the National Congress passed again the bill which places the USES in the hands of the States; they did this in the face of the President's recent holiday pocket veto, and we are

told that amid the voting, which was at a ratio of two to one, the cries of States' rights could be heard all over the House. I think that shows the temper of the people. They are becoming not merely tired, but sick and tired of Federal domination and control; of bureaucracy; of snoopers and smellers and tale-tellers, and thank God for it. That is one of the healthiest signs I have seen in recent years, together with the loud cries of States' rights from the mouths of both Democrats and Republicans who joined together to defeat another Federal invasion. I wonder if Chairman Hannegan is advising his chief on the USES legislation so as to prevent the States exercising control and so as to create still another Federal bureau which might send a lot of snoopers abroad in the land, who would come like a pestilence of grasshoppers in Kansas in midsummer.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. I believe that at the present time in the United States we are trying to keep Communists out as much as possible. If this bill should be enacted, how could we keep them out of our State Department?

Mr. STEWART. They are already there, or at least there are some there. We would have to put out some poison, perhaps.

Mr. JOHNSTON of South Carolina. We could fire one on the ground he was a Communist, under this bill, could we not?

Mr. STEWART. We could not do that under this or any other bill—not a Communist.

Mr. JOHNSTON of South Carolina. Why not?

Mr. STEWART. Because they are too strongly entrenched, apparently.

Mr. JOHNSTON of South Carolina. Does the Senator mean to tell me that the United States is a communistic Nation?

Mr. STEWART. We have them everywhere, apparently. There were 500 of them in the Senate galleries a few days ago. How did we get them out? I do not know how many there are here today.

Mr. JOHNSTON of South Carolina. God pity America, then.

Mr. STEWART. Mr. President, oddly enough, about the same day that democracy won a real victory in the House of Representatives the Supreme Court, just across the park from the Capitol, announced that they would review the so-called Jim Crow laws which have so long been settled by decisions of other courts. I am wondering whether this Court is contemplating entering the legislative field again and whether this announcement, coming as it does at this time, is indicative of anything in particular.

The other day I received a letter and resolution from the chamber of commerce of Dyersburg, Tenn. This letter was signed by numerous individuals. Dyersburg is a thriving, progressive, and modern city in western Tennessee. The people there are deeply concerned about the trends of Government. I quote in

part from this eloquently expressed letter:

We are worried and disturbed concerning mounting trends of Government control and restrictions which has placed business in a strait-jacket. We are proud of the United States, and the real progress that has been made in the past, which has resulted in our being the wealthiest, most progressive nation in the world. We remember that this country, with not quite 7 percent of the population of the world, has created and owns more than half of the world's wealth. We know that the United States has a standard of living that consumes one-half of the world's coffee, one-third of its tea, and 60 percent of all its minerals. We know that this country has manufactured 92 percent of all of the automobiles in the world, and kept 90 percent of them at home to travel on the most elaborate and extensive hard-surface-highway system in the world. In short, the people of the United States has, in approximately 150 years been able to create three times as much wealth as the whole world had been able to create prior to 1776, and has provided our citizenship with the highest living standards in the world. This marvelous progress has not been brought about by an all-powerful government. It is a matter of history that, no political agency since the world began, has created and developed a single wealth-producing enterprise that makes for the continuous employment of men.

The progress of the United States has been possible because up until the present the Government has been the servant of the people, and the cost of government was kept at a figure that allowed a large portion of the wealth of this country to be used in research and job-producing enterprises.

The old truism uttered first by Thomas Jefferson, "That the least governed are the best governed," has been amply proved by our economic progress in the past.

There is in Washington today, a group of politicians who feel that regulation and control by a powerful central government is necessary in order to maintain our living standards. The efforts of this group to pass the Fair Employment Practice Commission bill, is an example of this zeal for governmental control. We believe they are far more interested in the power and control over business which this bill would provide, than the possible benefit it could be to persons who might be infringed on because of race, religion, or politics. Should FEPC become a law, it would mean just another step in the Government's continuing policy of rigid control of business.

Mr. President, I have read this letter to show the trend of the times, and the feeling of the people in my section of the country. These people are absolutely right in their conclusions that should FEPC be adopted as a part of the law of the land it would, in addition to all its other vices, be just another step in the Government policy of continuing rigid control of business.

To give to the Senate another southern viewpoint I quote from Mr. Thurman Sensing in his weekly release entitled "Down South," a statement entitled "The South and the FEPC." Mr. Thurman Sensing is director of research for the Southern States Industrial Council. He is a man whose judgment is good and his brief analysis of this pernicious legislation is quite accurate and timely:

While the establishment of a so-called Fair Employment Practices Commission is a national question and once established would affect all the people of the Nation, it is an issue that is more closely tied in

with the South than with any other region. That this statement is true is quickly recognized when it is realized that were it not for the South the measure would have been saddled on the country long before now, and were it not for the South there would now be no opposition to the bill upon the floor of the Senate.

There are, of course, a scattered few in the South itself—unrealistic dreamers, or ill-advised reformers, or citizens well intentioned but uninformed as to the dangerous implications of the measure, or even a sprinkling of traitors to the American form of government—who are seeking the establishment of a permanent FEPC. However, these represent only a small percentage of the people of the South and it is the overwhelming sentiment of the South to abolish the FEPC and everything for which it stands. This could easily be proven by a poll of the people or by a vote of the people. Such a measure would never be established in any single Southern State.

It is, therefore, in accordance with representative democratic government that the Senators from the South should defend the principles of the South and represent the people of the South by opposing passage of the bill. Being in the minority in the Senate, they find it necessary to oppose the measure by any means at their command and by methods with which minorities must sometimes be protected.

And it should not be forgotten that the majority is not always right. Cases too numerous to mention can be taken from history to prove this statement. This was recognized by the founders of our Government when they set up a form of constitutional democracy that protected the rights of individuals and minorities.

The southern Senators being in the minority are, therefore, finding it necessary to filibuster against this bill. And now the proponents of the measure are attempting to draw attention away from the issue of the FEPC by venting their wrath against the filibuster itself, by stating it is contrary to the desires of the people, and by claiming that such action represents a threat to democratic government in this country.

As a matter of fact, a much better question which should be raised at this point is whether a great region representing one-third the people of the Nation should have thrust down their throats in the name of democracy a measure to which they are almost solidly opposed.

The provisions of the proposed permanent FEPC have been discussed thoroughly many times before. Suffice it to say here that the whole measure is contrary to the principles on which this Government was founded, and is certainly antagonistic to the beliefs which the people of the South cherish.

One of these beliefs, for instance, is States' rights. The people of the South do not object to any State having its own FEPC, if the people of that State desire it. But are its proponents willing to let each State make its own decision? They are not. No, the octopus of communism and bureaucracy and centralized control is not content unless it can spread its tentacles to every nook and cranny of the Nation. The proponents of this philosophy of government know they are not safe so long as there is any region of the Nation whose people will live by the principles of individual freedom, and by the principles of constitutional democracy on which this Nation has grown strong and prospered.

For these reasons, the South is aware of a great debt of gratitude to her representatives in the Senate of the United States. Moreover, once realizing the gravity of the issues involved, it is certain that the people of this whole Nation will some day awaken to the fact that they, too, are eternally be-

holden to this courageous band of defenders of the American way of life.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. As I understand, the writer of the letter suggests that if a vote were to be taken on FEPC in any of the Southern States it would be defeated.

Mr. STEWART. There is a strong majority against FEPC in every State in the South.

Mr. MAYBANK. Does the Senator believe that if the question were left for the people of the States in the West or in the East to vote on, a majority of the people would vote for it?

Mr. STEWART. I cannot see why. My answer ought to be "No." My information is that of 20 States—including not a single Southern State—which have had before their legislatures bills of this type, or FEPC bills of some type, only 2 States have enacted such legislation. The other 18 States have defeated it.

Mr. MAYBANK. Therefore the Senator would conclude that the people of those States would likewise vote against such a bill as is now before the Senate, would he not?

Mr. STEWART. Undoubtedly that must be true. Recently a Gallup poll definitely showed that the country as a whole was opposed to the FEPC. The poll was referred to by the Senator from Georgia [Mr. RUSSELL] the other day.

Mr. MAYBANK. I thank the Senator for mentioning the Gallup poll and referring to the other States.

Mr. STEWART. Mr. President, I wish to conclude. Let me say in conclusion that I do not believe that the President of the United States has been correctly advised about this matter. I do not believe that he has given thought to the terrible repercussions which such a law would bring throughout the entire country.

It is a rather terrible thing to reflect, for example, that an ordinary farmer, if I may use him for illustration, who hires as many as six persons could be forced by a board sitting in judgment a thousand miles away to employ persons on his farm whom he did not wish to employ. To that end he would be investigated by a representative of the board, who in all probability would be chosen chiefly because of his malice and hatred toward other people, or because of his influence with a political organization which no doubt would be in close contact with the Communists of this country. I might add that the only hope the farmer would have to be free from such interference on the part of busybodies and reformers would probably lie in the fact that people employed on the farm must work. The Communists never work. All they do is agitate. They never produce. They tear down and destroy. They are anxious only to cause trouble, strife, and discord, and force regulation upon the business of all other people.

Frankly, I wish that the President of the United States and Chairman Hannegan would reconsider this legislation and request that it be withdrawn from consideration before the Senate, in a special message which might be sent here by



the President, because of the exigencies of the time.

For the reasons which I have repeatedly stated during this discourse, I believe it is extremely unfortunate that we must spend our time on a picayune piece of legislation when the country is suffering and crying for the solution of many serious postwar problems.

**THE MISSOURI VALLEY AUTHORITY—  
EDITORIAL FROM THE OMAHA EVENING  
WORLD-HERALD**

Mr. BUTLER. Mr. President, I ask unanimous consent that there may appear in the body of the RECORD an editorial taken from the Omaha Evening World-Herald of January 14, last, relating to the Missouri River Valley Authority.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

**A TALE OF TWO RIVERS**

This is the story of two rivers.

One is the Missouri, which flows past Omaha's back door. Which sometimes, at flood stage, flows into Omaha's back door.

The Missouri, as readers of this newspaper will recall, was a lively issue in Congress last month.

Representatives of the valley demanded that funds for flood control be provided in the deficiency appropriation bill then pending. Other interests opposed them. The controversy raged back and forth, from the floor of the House to the floor of the Senate to conference committee rooms and back to the floors again.

As eventually passed the bill provided some \$7,000,000 for the control of floods in the Missouri Valley. Not much, in view of the magnitude of the job, but valley people cheered anyhow. After long experience with Congress they are grateful for crumbs.

Now the Army engineers are preparing to spend a half-million at Omaha, another half-million at Council Bluffs, two million at Kansas City, varying amounts elsewhere. That will be a bare beginning.

Now turn to the other river of this tale—the Yellow River of China.

Eight years ago—long before the United States entered the Asiatic war—the Chinese cut the dikes of this river near Kaifeng, in order to halt the advance of the Japanese Army.

They stopped the Japanese, sure enough, but the Yellow went berserk. It poured through the 2-mile breach in the dikes and cut a new channel to the sea.

The Yellow has been doing that same sort of thing for centuries. The plains of its broad valley are scarred with old channels which the outlaw river has tried and finally abandoned.

But this time someone proposes to do something about it. And that someone, naturally, is UNRRA.

UNRRA, the world-wide relief agency which is financed mainly with American dollars.

According to the Associated Press, it proposes to spend \$50,000,000 to put the Yellow back in its 1938 channel.

And this gallant rushing to the rescue of a Chinese river will require no act of Congress, probably will occasion not even a ripple of debate in Washington. For UNRRA's millions and billions are appropriated as lump sums, and the bureaucrats—our own and other nations—decide how they shall be spent.

It should be emphasized that this is not a war obligation.

The Chinese cut the dikes when they were engaged in a private war with Japan. America was not then their ally, had nothing to do with the case. China did it, in China's own interests.

Perhaps the Yellow should be put back in its former course. At least there is no need to argue the point. The only question so far as Americans are concerned is whether it is a proper job for UNRRA and its American dollars, or whether it should be done by the sovereign government of Chiang Kai-shek.

The global spenders will retort, of course, that China can't do it because China is broke.

Well, confidentially, so is the United States.

Financially speaking it is broker than China ever dreamed of being. Its debt is nearly \$300,000,000,000—more, probably, than all the rulers of China have spent since Confucius. It can raise more millions for the Yellow River project only in one way. That is, by the process which Washington's bright young men lovingly refer to as "borrowing from each other."

But if "borrowing from each other" is so beneficial for the American people, why wouldn't it be equally beneficial for the Chinese? If Washington can produce and spend money it doesn't have, why can't Chungking?

It would be interesting to hear those questions discussed in Congress.

And it would be interesting, too, to hear the official theory about these two rivers. Why is it so eternally difficult to get a piddling seven millions to keep the Missouri off American farms and out of American basements, while it is so delightfully easy to get seven times that amount to plug a hole in the dikes of the Yellow?

**PROPOSED VETERANS' HOSPITAL IN  
KENTUCKY**

Mr. STANFILL. Mr. President, there are two situations in Kentucky which are very disturbing to our citizens, and I desire to ask unanimous consent of the Senate to lay them before this body.

The first is the location of a veterans' hospital for the area embracing northern Kentucky and a part of southern Ohio. The United States Government now owns and has held for many years title to the site known as Fort Thomas located on Kentucky side of the Ohio River. It has owned this property for a great many years. During the First World War it was an Army post, and has been continued as such since that time. In fact, my information is that it has been an Army post for more than 50 years. Just what the acreage in this post is, I do not know, but it lies on a hill overlooking the beautiful Ohio River, and the scenic beauty of the spot is not surpassed at any place along the river. In fact, it has been known for a long time as the "West Point of the West." The ground is high, being at an elevation several hundred feet above the river bed, and the topography is such that it readily lends itself to winding paths, roads, walkways and drive-ways for use of convalescent patients, and it is now beautifully landscaped. There are a number of buildings already constructed, and there is a hospital which was used during the war as a convalescent hospital by the American Air Forces. The buildings now on the property are ready for immediate occupancy by patients, and there are sufficient homes for physicians and staff members.

I am informed the Government has an investment of more than \$7,000,000 in this plant. We all believe that the Government should not waste the money of the taxpayers. I am sure this is the sentiment of all of us, yet if this property is not utilized for the veterans' hospital,

the Government will realize practically nothing from its sale.

I am told that the engineers of the Veterans' Administration have approved this site, if they have not actually recommended it above all others. Certainly, in their report to the Administrator of Veterans' Affairs they have shown it to be a desirable site from a physical standpoint.

Fort Thomas is a part of metropolitan Cincinnati. The metropolitan area of that city embraces a portion of Kentucky, including the cities of Covington, Ludlow, Fort Mitchell, Southgate, Bellevue, Newport, Dayton, and Fort Thomas. In this area approximately 200,000 people live; it is separated from Cincinnati proper by the Ohio River, but over this river are five or six bridges, all but possibly two of which are toll free. Streetcars and/or busses run from Cincinnati to Fort Thomas on regular schedules, and the fare is the same as the fare to any other point in the Cincinnati area.

The chief objection advanced by the Veterans' Administration to this site is the claim that it may be difficult to secure medical men, physicians, to attend the patients at this location. Gen. Omar Bradley indicated to a delegation of Kentuckians, including myself, in an interview a few days ago, that another proposed location in the city of Cincinnati might be preferable because it was near the University of Cincinnati, and because he thought medical services could be more readily secured there. I think this argument is unsound for these reasons:

A. While there is a medical school at the University of Cincinnati the professors and teachers at that school are largely private practitioners in the city of Cincinnati and northern Kentucky and the fact that they go to the medical school of the University of Cincinnati to hold their classes would not make them more available to the hospital if it were near the university than if it were at the Fort Thomas site.

B. The fact that there are medical students at the University of Cincinnati ought not to weigh against the Fort Thomas site, for I am sure the people of this country do not want their veterans in the hospital treated by students in a medical college. We want the very best of medical care for them which may be obtained.

C. Most of the better-known physicians practice and are located in the downtown area of Cincinnati, thus making them more accessible to the Fort Thomas area in Kentucky than to the proposed site in Cincinnati.

D. The physicians in northern Kentucky have sent me a statement which I believe shows a very fine spirit and is a fine exhibit of professional ethics. They have an organization known as the Campbell-Kenton County Medical Society, which is composed of the physicians living and/or practicing their profession in this metropolitan area, which embraces parts of Campbell County and Kenton County in Kentucky.

Mr. President, I ask that a letter from the Campbell-Kenton County Medical Society be printed in the RECORD without taking the time of the Senate to read it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CAMPBELL-KENTON COUNTY  
MEDICAL SOCIETY,  
Newport, Ky., January 14, 1946.  
Hon. WILLIAM STANFILL,  
Washington, D. C.

DEAR SIR: The Campbell-Kenton Medical Association held a meeting of its members on Thursday evening, January 10, 1946, for the purpose of discussing the position in which the members have been placed as the result of the controversy between the interests in Cincinnati and the interests in northern Kentucky over the location of the proposed new veterans' hospital to serve the Cincinnati area.

A great many charges and counter charges have been made which has resulted in the placing of the members of the medical profession in northern Kentucky in a somewhat embarrassing position. It is to clarify our position that we present this statement.

In the discussions that have taken place over the location of the proposed hospital, the question of the medical care to be given to the patients seem to be uppermost in the minds of those factions in Cincinnati who seek to have the hospital located there. It has been pointed out in each instance that an abundance of medical talent is available and will be available if the hospital is located there, and this leaves by inference that, unless the hospital is located in Cincinnati, medical skill will not be available under any except most trying conditions. We do not wish to dispute the fact that splendid medical talent will be available to the patients if the hospital is located in Cincinnati but we consider it manifestly unfair to create the impression that medical talent just as competent is not available in northern Kentucky. We also want to emphasize that the members of the medical profession in northern Kentucky are willing and eager to lend their services whenever needed to the patients of the proposed hospital within the limitations of their availability, regardless of where the hospital is located.

Aside from other considerations governing the location of the veterans' hospital and the factors that will determine the ultimate location of this hospital, we desire to point out that there exists an ample reservoir of medical talent which, it seems to us, will be entirely adequate to supplement the regular medical staff if the hospital is located at Fort Thomas. We are very proud of the fact that the Campbell-Kenton association has so many doctors and surgeons of outstanding skills in its membership. Sixty-two percent of the practitioners in northern Kentucky are graduates of the Cincinnati Medical College, and a number of these men are on the teaching staff of the medical college.

We believe that the erroneous impression that there exists a lack of medical skill in northern Kentucky is unwarranted and in justice to the members of the medical profession we have taken these means to correct it.

We deeply regret that the medical profession has become so far involved in this matter that its dignity and ethics are threatened to a point where we are forced to thus defend ourselves against a possible misunderstanding of the public.

WILLIAM J. O'ROURKE, M. D.,  
President.

R. EUGENE WEHR, M. D.,  
Secretary.

Mr. STANFILL. Mr. President, without taking any more time of the Senate, I wish to have printed as a part of my remarks on this subject, the following selected letters, telegrams, and resolutions, which will bear out the facts I have stated regarding the Fort Thomas site:

First. Letter dated December 12, 1945, from Newport, Ky., from the Sixth Ward Boosters' Social Club.

Second. Letter dated January 25, 1946, from the Monmouth Street Merchants Association.

Third. Letter from the American Legion Post at Bellevue, Ky., dated January 16, 1946.

Fourth. Letter dated January 3, 1946, from the Central Covington Civic Club in Covington, Ky.

Fifth. Copy of a letter dated January 12, 1946, from Lewis W. Fritsche, the original of which was directed to Gen. Omar Bradley.

Sixth. Letter dated December 21, 1945, from the Fraternal Order of Eagles of Covington, Ky.

Seventh. Letter dated December 17, 1945, from the South Fort Mitchell Fire Association.

Eighth. Telegram from the James Wallace Costigan Post of the American Legion at Newport, Ky.

Ninth. Resolution of the Campbell County Fiscal Court signed by the Honorable Odie W. Bertelsman, county judge, and the county commissioners and duly authenticated by the county clerk of Campbell County, Ky.

Tenth. Resolution of the Kenton County Fiscal Court signed by Judge William E. Wehrman and properly attested by the clerk of the court.

Eleventh. Resolution duly adopted by the House of Representatives of the Commonwealth of Kentucky on January 17, 1946, duly authenticated by the chief clerk of the house.

There being no objection, the letters, telegram, and resolutions, were ordered to be printed in the RECORD, as follows:

SIXTH WARD BOOSTERS' SOCIAL CLUB,  
Newport, Ky., December 12, 1945.  
Hon. WILLIAM STANFILL.

DEAR SIR: At a meeting of the Sixth Ward Boosters' it was called to our attention the controversy over the use of Fort Thomas Army post for hospital site for disabled veterans. It is our belief that this site should be used for this purpose inasmuch as the buildings are already equipped somewhat, and it would be a savings of millions of dollars to the Government and taxpayers alike. It hasn't been so long ago that the AAF used this property as a convalescent hospital, and after spending thousands of dollars to equip it for their needs, they gave it up in about 1 year. Insofar as President Truman has advocated the useless spending of money in all departments of the Government so as to cut down the national debt, we believe now is a time to economize and save. As you know, the site in Fort Thomas is high among the hills of northern Kentucky, out of reach of all the soot and smoke in the community, plenty of fresh air and river breeze which is ideal for rest and comfort for our disabled veterans.

We also point out to you if the Veterans' Bureau would accept one of the sites offered by our sister city of Cincinnati, it would be from 2 to 3 years before they could occupy the buildings, because of the shortage of material and labor, when they could move in at Fort Thomas in a short time. Therefore, we urge you to do your utmost in having the veterans' hospital located at Fort Thomas. Thanking you for past favors,

I am,

Respectfully yours,

ARTHUR B. KNARR,  
Recording Secretary.

Attest:

EARL FRISCHOLZ,  
President.

MONMOUTH STREET  
MERCHANTS ASSOCIATION,  
Newport, Ky., January 25, 1946.  
VETERANS' ADMINISTRATION,  
Washington, D. C.

Attention: Gen. Omar S. Bradley, Administrator.

Subject: Location of a veterans' hospital in the Cincinnati area, and urging the selection of Fort Thomas.

GENTLEMEN: We respectfully call to your attention the following:

1. We deplore the fact that the press of Cincinnati has strongly implied that the matter of determining the location of this hospital is being subjected to political pressure. Naturally persons on both sides seek the aid of their respective representatives in Congress. That does not imply that any decision is urged as a matter of political preference. In the case of selecting Fort Thomas as the site of a veterans' hospital on the one hand, or the city of Cincinnati on the other, it is clear that politics cannot be involved. The act itself seems to contemplate that existing hospitals of the Army and Navy shall be preferred, and that only if additional hospital facilities should become necessary is an appropriation made for that purpose. Of course, it is not contended that the Veterans' Administration has not the authority to build a new hospital in Cincinnati, but the statute seems to suggest economy by the utilization of existing facilities subject to the paramount question as General Bradley has stated, What is ultimately best for the veteran?

So how can it be said that the selection of Fort Thomas, where the hospital is comparatively new, though located at a post of over 50 years standing, is a matter of political significance.

2. As taxpayers to the Federal Government upon whom the expenses finally rest, we respectfully suggest that the savings ought to be made by selecting a hospital in the Cincinnati area that is already constructed and ready for immediate occupation, unless such facilities are not or cannot be made sufficient for the purpose of giving the disabled veterans the best of care.

3. Medical services are as equally available to Fort Thomas as they would be at the site that has been suggested adjoining the General hospital in the city of Cincinnati. The site in Fort Thomas is not much farther from the Doctors Building, about the center of the city of Cincinnati, than is the General Hospital of Cincinnati.

Certainly the location, of such scenic beauty that Fort Thomas has been called the West Point of the West, and the atmosphere unpolluted by the smoke and vapors of industry, invite the favorable consideration of Fort Thomas.

Contrast a convalescent veteran, at a window overlooking river, valley and wooded hills, and one at a window facing a city's street, and walls of other hospitals.

Only if it be true that misery loves company, would the later window be preferred.

4. The area surrounding the Fort Thomas Hospital, and now owned by the Government, lends itself to present addition or future extensions that may become desirable.

The foregoing presentation was authorized and directed by and at an open meeting, held on January 21, 1946, of the members of the Monmouth Street Merchants Association, of Newport, Ky., an organization which has been in existence for about 30 years and comprises a large majority of the merchants of the city of Newport, which, of course, is adjacent to Fort Thomas.

By order of said Association, this is Respectfully submitted.

JNO. A. BAHLMAN,  
CHAS. T. BRANDT,  
Committee.



## AMERICAN LEGION,

EDWARD W. BOERS POST, No. 153,  
Bellevue, Ky., January 16, 1946.

The Honorable W. A. STANFILL,  
United States Senator, Washington, D. C.  
DEAR SIR: Edward W. Boers Post, No. 153,  
American Legion, wishes to thank you for  
your support of Fort Thomas as the site  
for the new veterans' hospital instead of  
Cincinnati.

The argument of the Cincinnati newspapers that the hospital must be on the ash heap near the medical college for the benefit of the veterans is fallacious. We know that all Government hospitals have their own staffs, and that outside help is not needed, and very rarely called for.

The location at Fort Thomas is much better than the Cincinnati location, the air is purer, there is more room for recreation. It can go into operation as a hospital at once. It is easier and cheaper to get to downtown in Cincinnati than from the medical college.

We do not want our boys used as human guinea pigs by the doctors and students at the medical college in Cincinnati, which seems to be the idea of many of those who are plugging for Cincinnati and knocking Fort Thomas.

Yours truly,

NEIL F. ANNABLE, Adjutant.

CENTRAL COVINGTON CIVIC CLUB,  
Covington, Ky., January 3, 1946.

HON. WILLIAM A. STANFILL,  
Washington, D. C.

DEAR MR. STANFILL: At a recent meeting of our club the location of the new veterans' hospital was discussed, and we, the Central Covington Civic Club, have gone on record as approving the stand taken by the Norman Barnes Post, American Legion, favoring Fort Thomas, Ky., as the most favorable site for the Government's new veterans' hospital.

Trusting that you will do all in your power to secure this location for same, we are,

Very sincerely,

VIRGINIA STODTLANDER, Secretary.

FORT THOMAS, KY., January 12, 1946.

UNITED STATES VETERANS' ADMINISTRATION,  
Washington, D. C.

Gen. OMAR BRADLEY,  
Director of Veterans' Affairs,  
Washington, D. C.

Gen. PAUL HAWLEY,  
Medical Director,  
Veterans' Administration,  
Washington, D. C.

GENTLEMEN: There has been quite a lot of articles in the newspaper regarding locating the veterans' hospital in Cincinnati, Ohio, as well as Fort Thomas, Ky.

It seems that Cincinnati believes this hospital should be located within Cincinnati because it will be near the medical school. For the love of Pete, that should make no difference, for surely our Government is not going to use these veterans, who were so instrumental in bringing victory to us, as guinea pigs. Further, with the housing shortage in Cincinnati, the ground which would be used for such a hospital could be used for dwellings.

Most of the individuals who are clamoring for locating this hospital in Cincinnati are howling loudest about our Government wasting money, causing high taxes.

As to locating the hospital in Fort Thomas, Ky., this would save our Government quite a chunk of cash. The Government owns the Fort Thomas Military Reservation, which covers quite a large area, more than could be utilized for the hospital alone.

The doctors and surgeons surely would be employed by our Government on a full-time basis and would desire to live close to the hospital. Such being true, there are at present more good buildings now on the Fort

Thomas Reservation than they could use. This is more than Cincinnati can boast of, for there are not enough dwellings to house the present citizens of Cincinnati.

I was born and raised in Cincinnati. However, I saw the light and moved to Fort Thomas about 20 years ago. I am employed in Cincinnati and journey to and from 6 days per week.

Fort Thomas' altitude is very high and the air is clear and clean. On coming to work some mornings it is very clear when leaving home, but upon nearing Cincinnati it is often so foggy one cannot see 50 feet ahead. Cincinnati is located within a valley and while the sought location of the hospital is on the brink of a hill, you will find it is quite foggy there at times.

Cincinnati also is a manufacturing city and this in itself is not so healthy for convalescent people, as the air naturally is filled with smoke and other particles.

Fort Thomas does not have any manufacturing plants within its boundary nor for miles from the Government reservation. It does have the Chesapeake & Ohio Railroad running at the foot of the hill, but the smoke from what few locomotives do pass the reservation could not possibly reach the top of the hill.

Cincinnatians desire the hospital due to the revenue it would receive therefrom, while the city of Fort Thomas would not derive any revenue, as the Government now owns the military post.

At present there is a hospital building upon the Fort Thomas site which could be enlarged, if necessary, or there is plenty of unused ground for a new building. It was used, up until a few months ago, as a convalescent hospital for members of the Army Air Corps and was very satisfactory.

If our veterans must be used for guinea pigs, the Fort Thomas location is within a short distance of the medical school, with good roads running outside of congested areas.

We all know that our Government wasted plenty of money during the war, which could not be helped, so let's all turn over a new leaf and practice a bit of economy, forgetting greed. Let's also endeavor to help our veterans regain their health in as healthy an atmosphere as possible with good surroundings.

I have no mercenary motive behind my writing this letter. I would like to see our veterans receive the best possible care in the best possible hospitals affording the best possible surroundings.

What our country needs most now is more statesmen, not politicians, so let's all get behind the ball and push in harmony to give our wounded veterans the best possible care.

Sincerely yours,

LEWIS W. FRITSCHIE.

FRATERNAL ORDER OF EAGLES,  
COVINGTON AERIE, No. 329,  
December 21, 1945.

HON. SENATOR W. A. STANFILL,  
Washington, D. C.

DEAR SENATOR STANFILL: Covington Lodge No. 329, Fraternal Order of Eagles, representing 3,500 members, requests that the Veterans' Administration establish a veterans' hospital at the Fort Thomas Army Post, Fort Thomas, Ky., because:

First. Fort Thomas is ready and equipped for immediate occupancy. It has been used only recently as a convalescent hospital by the AAF.

Second. The buildings are there for immediate occupancy by patients and there are homes for physicians and staff members. There is also ample space for rest and recreation in a place that is high above the smoky and murky atmosphere that hangs over the two alternate sites advocated by Cincinnatians.

Third. Fort Thomas Army Post is but a 7-minute ride from Cincinnati in the event the hospital requires the services of outside medical men.

Fourth. Numbers of returning servicemen are in need of immediate hospitalization and should not be required to wait approximately 2 years which will be required to erect a hospital on either of the two sites in Cincinnati.

In addition the Government has a \$7,000,000 investment in Fort Thomas. This investment should not be abandoned at a time when there is dire need for economy.

This resolution is to be spread on the minutes of this lodge and the secretary will send a copy thereof to the Veterans' Administration.

Very truly yours,

ROBT. J. TUTTLE, Secretary.

SOUTH FORT MITCHELL  
FIRE ASSOCIATION,  
South Fort Mitchell, Ky.,  
December 17, 1945.

HON. W. A. STANFILL,  
Senator, Washington, D. C.

DEAR SENATOR: The South Fort Mitchell Fire Association, of South Fort Mitchell, Ky., have gone on record that Fort Thomas Army Post, located at Fort Thomas, Ky., is the ideal location for the veterans' hospital.

We beg of you to do all you can that Fort Thomas Army Post be selected for the site.

Thanking you for the stand you have taken, we are,

Truly yours,

JOSEPH HEPP,  
President.

NEWPORT, KY., December 7, 1945.

HON. WILLIAM J. STANFILL,  
Senate Office Building,  
Washington, D. C.:

DEAR MR. STANFILL: We appreciate your efforts in behalf of the Fort Thomas site for veterans' hospital and urge you to continue to fight as we feel that it is the most ideal location to build, both from health standpoint and proper environment for our sick and disabled veterans, and the fact that it is now Government property, 800 feet above sea level and above the smoke, dirt, and the noise of a large city, and easily accessible to a large medical center.

PETER J. FEILEN,  
Commander,  
James Wallace Costigan Post,  
American Legion, Newport, Ky.

CAMPBELL COUNTY FISCAL COURT, CAMPBELL COUNTY, KY., RESOLUTION

Whereas the Veterans' Administration is contemplating the establishment of a veterans' hospital in this vicinity; and

Whereas there are facilities existing in this county, located at Fort Thomas, Ky., formerly used by the Army Air Forces as a convalescent hospital; and

Whereas this site comprising acres of ideally situated land is owned by the United States of America; and

Whereas hospital buildings and other facilities are now available at this site, together with ample acreage for expansion; and

Whereas this centrally located site is the most practical of any under consideration from the viewpoint of service to the veterans and availability to medical personnel located in Ohio and Kentucky; Now, therefore, be it

Resolved by the Campbell County Fiscal Court of Campbell County, Ky., That the United States Veterans' Administration be and hereby is respectfully requested to establish the proposed veterans' hospital at the said Fort Thomas, Ky., site; be it further

Resolved, That copies of this resolution be forwarded to Senators ALBEN BARKLEY and

WILLIAM STANFILL, and Representative BRENT SPENCE.

Done at the regular meeting of the Campbell County Fiscal Court at Alexandria, Ky., the 7th day of January 1946.

ODIS W. BERTELSMAN,  
County Judge.

JACOB MARTZ,  
LAWRENCE BAUMAN,  
JAMES DECKERT,  
Commissioners.

#### KENTON FISCAL COURT, RESOLUTION

Whereas the Veterans' Administration proposes to establish a veterans' hospital within the greater Cincinnati area; and

Whereas the Fort Thomas Military Post is now available for such use as the Veterans' Administration may deem best; and

Whereas the Kenton Fiscal Court realizes the value of the Fort Thomas location from the point of view of excellent buildings, desirable locality and proximity to the greater Cincinnati medical center: Therefore be it

*Resolved*, That the Kenton Fiscal Court endorses the use of the Fort Thomas Military Post as a veterans' hospital; and be it further

*Resolved*, That copies of this resolution be sent to Senators Alben W. Barkley and W. A. Stanfill, Congressmen Brent Spence, Congressman A. J. May, and to Gen. Omar Bradley.

Adopted by the Kenton Fiscal Court at Covington, Kenton County, Ky., this 11th day of January 1946.

WM. E. WEHRMAN,  
Judge, Kenton County Fiscal Court.

A true copy:  
Attest:

SAM FURSTE, Clerk.  
By W. TAYLOR.

IN HOUSE OF REPRESENTATIVES,  
COMMONWEALTH OF KENTUCKY,  
January 17, 1946.

#### House Resolution 8

Concurrent resolution petitioning the Veterans' Administration and the Congress of the United States to use the Army post at Fort Thomas, Ky., as a veterans' hospital

Whereas a considerable number of new veterans' hospitals are now being established; and

Whereas the Army post at Fort Thomas is ideal for a veterans' hospital and would be much more valuable as such than its present use: Now, therefore, be it

*Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky (the Senate concurring therein):*

It is respectfully urged that the Veterans' Administration and the Congress of the United States arrange for the use of the Army post at Fort Thomas, Ky., as a veterans' hospital.

The clerk of the house shall mail copies of this resolution to the President of the United States, to the Director of the National Veterans' Administration, to the Clerk of the Senate and House of Representatives of Congress, and to each Member of the Senate and House of Representatives of Congress from Kentucky.

This resolution was adopted by the house of representatives on January 14, 1946, and concurred in by the senate on January 16.

Attest:

BYRON ROYSTER,  
Chief Clerk of House.

#### THE KENTUCKY BURLEY TOBACCO MARKET

Mr. STANFILL. Mr. President, another condition to which I desire to call attention is the deplorable situation now

prevailing in the State of Kentucky in the burley tobacco market. I do not know just what has caused this condition, but I do know that it has caused great hardship to the farmers of the burley tobacco belt in Kentucky. I have a resolution which was passed by the Senate of the Commonwealth of Kentucky, now in session, duly authenticated by its chief clerk, memorializing the Congress of the United States to establish a floor price for tobacco. I ask that the resolution may be printed in the RECORD without reading.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Senate resolution memorializing Congress to establish a floor price for tobacco

Whereas a ceiling price has been established, above which tobacco cannot be sold; and

Whereas tobacco is one of the chief sources of income for the farmers of Kentucky; and

Whereas the selling price of tobacco is dropping far below the ceiling price, thereby diminishing the farmers' ability to purchase the equipment needed for the operation of the farm, at the present high prices of equipment which will be even higher when labor's demand for higher wages is granted; and

Whereas the farmers are powerless to demand adequate prices for their tobacco: Now, therefore, be it

*Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:*

(1) It is respectfully urged that the Congress of the United States establish a floor price not more than 4 cents below the ceiling price.

(2) It is further urged that the Congress strive, through scientific research, to find more uses of tobacco such as fertilizer ingredient, insect control, etc., which may result in such demand for tobacco that the farmers can expect a good price for their product at any time.

Copies of this resolution shall be sent to the Secretary of Agriculture, Clerk of United States Senate, Clerk of United States House of Representatives and to all Kentucky Members of House and Senate, Washington, D. C.

Attest:

EMERSON BEAUCHAMP,  
Chief Clerk of Senate.

Mr. STANFILL. Mr. President, I also have a resolution passed by the House of Representatives of the Commonwealth of Kentucky properly authenticated by the chief clerk of the house of representatives. I ask that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

1. Burley tobacco is now produced in 17 States and the acreage and territory is gradually spreading. There are thousands of additional farmers who want to grow burley tobacco and probably will, regardless of regulations. There is now, or soon will be, an abnormal surplus or carry-over of burley unless some immediate steps are taken to solve the problem.

2. In the last 25 years little if any effort has been made by the growers or our representatives in Washington to sell burley in export trade. Burley tobacco has not been placed on the "must" list in the extending of foreign credits and loans, like cotton and other commodities.

3. Reports show that many foreign countries are now very short on tobacco supplies and that there is not enough tobacco of

the type used heretofore to supply the immediate demand.

4. The reports of our returning veterans have proven conclusively that the people of foreign countries crave cigarettes made from our burley tobacco and that if given the opportunity will consume products made from our burley tobacco.

5. Less than 10 percent of the world's population now have an opportunity to use the products of burley tobacco.

6. It is the sense of the members of the house of representatives herein assembled that the burley growers are entitled to more financial support from the Federal Government and to greater cooperation of our State Department for the permitting of sales of burley tobacco in foreign countries: Now, therefore, be it

*Resolved by the House of Representatives of the Commonwealth of Kentucky*, That the following steps be taken immediately:

First. Federal laws should be amended governing the regulations of growing tobacco. The penalty should be increased alike on all types of tobacco which is grown in excess of their allotment to 40 percent of the sales price or to 15 cents a pound, whichever is greater.

Second. Provisions should be made for the annual measurement of tobacco planted so as to discourage overproduction.

Third. Burley production for 1946 should be reduced as a temporary measure to help relieve prices.

Fourth. Immediate steps should be made by the Federal Government or one of their agencies to purchase 25 percent of the remainder of the burley crop in order to support the price of tobacco, purchased to be used when extending foreign credits.

Fifth. The Senators and Representatives in Congress from the burley-producing States are requested to contact or assist our farm-bureau representatives to contact export companies and export authorities and help work out a plan that will increase the export of burley tobacco.

We hereby go on record as approving wholeheartedly the efforts of the Farm Bureau Federation and support their tobacco program 100 percent.

It is hereby ordered that the clerk of the house send a copy of this resolution to each Member of Congress from Kentucky, the United States Secretary of Agriculture, Secretary of Commerce, and the State Department.

Mr. STANFILL. Mr. President, another resolution was passed by the House of Representatives of the Commonwealth of Kentucky on January 15, 1946, asking the Department of Justice to investigate, with a view to ascertaining whether the Sherman Antitrust laws have been violated.

I ask that the resolution may be printed in the RECORD at this point without reading.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

#### House Resolution 16

Whereas burley tobacco constitutes one of the chief sources of revenue for the farmers of Kentucky; and

Whereas the whole economy of the State and of the Nation may be thrown out of balance by the recent sudden break in the burley market; and

Whereas the tobacco companies had at their disposal at the beginning of the market all of the information which they now have, including the size of their own inventories, the size of the present crop, and the possible markets available for marketing of the products of the companies; and



Whereas it is reasonable to believe that with all of the above information at the disposal of the companies at the beginning of the market, the prices paid at the beginning of the market must have been based upon the ability of the companies to pay said prices, having in mind present inventories, the size of the 1945 crop and available markets; and

Whereas the break in the market came suddenly and the low bidding was apparently participated in by all of the representatives of all of the companies at the same time; and

Whereas it appears from the morning press that at a meeting at Washington yesterday attended by the representatives of farm organizations from the Burley Belt called for the purpose of considering an increase in the price of cigarettes in order to allow the companies to pay for the 1945 burley crop, that no company put in its appearance; and

Whereas from such action the companies indicated a complete disregard for the welfare of the growers and a complete lack of interest in finding a solution to the growers' problem; and

Whereas on at least one previous occasion the Government of the United States instituted criminal proceedings against some of the tobacco companies and said companies were found guilty of conspiracy to defraud the farmer of his crop; and

Whereas the present situation gives at least many outward appearances of collusion on the part of the companies: Now, therefore, be it

*Resolved by the House of Representatives of the Commonwealth of Kentucky,* That in an effort to reach the facts, this body go on record as requesting the Department of Justice to immediately institute an investigation of the buyers in the burley market to ascertain why the market was opened at approximately \$50 per hundred and, without any change in the information available, all buyers at approximately the same time dropped the price to approximately \$38 per hundred; and that it is the sentiment of this body that if an investigation by the Department of Justice indicates that there is collusion among the buyers to break the market and defraud the farmer of his 1945 crop, that said information be presented to the Federal grand jury at Lexington, Ky., and those guilty of conspiracy to break the market be indicted in accordance with the Federal antitrust laws; and be it further

*Resolved,* That a copy of this resolution be immediately forwarded to each of the Kentucky Congressmen and Senators and to Hon. Tom Clark, Attorney General of the United States.

#### APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed the consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. EASTLAND. Mr. President, in the beginning I wish to say that I believe in economic equality for the Negro. That question has been brought into the debate, and that is the reason why I mention it at this time. I believe in better housing conditions. I believe in equal pay for equal work. I believe in improving the economic condition of the Negro in the United States. If my colleagues will pardon a personal reference, I have supported that doctrine with my own money, and I believe that I have done more in behalf of schools, hospitals, and improved housing for the Negro than have all his political friends in this body combined. I do not think it is fair to the

South to drag that question in, and say that he is being mistreated down there, and that that is an issue in this controversy.

Mr. President, there are in the world two schools of thought. Our Constitution and our whole system of government are founded on the protection of the rights of the individual. The rights of the individual under our system are paramount to the rights of classes or groups. Under the Communist system and under the Socialist system it is the welfare of the class which counts.

For the past 15 or 20 years there has been a gradual drift in this country toward class government, or group government, under which the rights of the individual citizen are sacrificed. Class rights and alleged group rights are made paramount to the rights of the individual. This bill marks the high point in the drift toward a socialistic America. We have floors under prices. We have wage floors. When the drift continues further there will be wage fixing and price fixing, and we shall live in this country under a managed economy.

Under the terms of this bill the control of employment would pass into the hands of the Government. Employment would be nationalized. I submit that it is all a part of the plan to destroy our country and to set up a Socialist government. A little later I shall discuss the system of procedure and the jurisprudence established under the provisions of this bill, and compare it with the judicial procedure of the Soviet Union, to show that whoever wrote the bill had an uncanny knowledge of the system of jurisprudence in vogue in Soviet Russia today. The two systems are the same. In Russia the rights which are left to the individual are practically the same rights that an employer would have under the terms of the bill. From a study of the code of the Soviet Union, I submit that whoever wrote this bill is to be congratulated on possessing an expert knowledge of the jurisprudence of that country.

First, Mr. President, I desire to refer briefly to certain provisions of the bill. Section 3 (a) provides as follows:

Sec. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

What does that provision mean? It means that if a white man and a member of one of the minority groups, each with the same qualifications, should apply for a job at an industrial plant, if the employer should conclude that he already had enough employees of the minority race, and that therefore he should give the place to the white applicant, he would be guilty of discrimination under the terms of the bill, and could be prosecuted as set forth therein. It is said that that creates a preference in employment for a member of a minority group and that it gives him a preference over a white applicant. That is true. Let me say, Mr. President, that since June 1940, more than 800,000 aliens have come into this country. American boys have been serving in the armed forces. There was a shortage in the

labor market. Those aliens have obtained employment in American industry. I submit that one of the plans behind this bill is, as the Senator from Georgia so well stated, to use the Commission proposed to be created as an employment agency to give employment to aliens and alien groups at the expense of returning American soldiers.

Mr. McCLELLAN. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. Would not such a program greatly serve the Communist movement in this country?

Mr. EASTLAND. It would greatly serve the Communists in America, because under this bill an employer could not refuse to hire a person because of his creed, an employer could not fire a person because of his creed, and an employer would be liable to prosecution if he fired a Communist or if he refused to give a job to a Communist. Let me tell the distinguished Senator from Arkansas that, as he well knows, the present Communist program in this country is one of infiltration—a program of getting into key positions in Government and in industry.

Mr. McCLELLAN. It is characteristic of the Communists, is it not, to try to infiltrate, rather than to try to move by means of a direct approach?

Mr. EASTLAND. That is their official policy in the United States, and this bill would greatly facilitate the advancement of that policy.

Mr. McCLELLAN. Mr. President, then, I assume that the Senator agrees with me that the passage of this bill would serve to promote the welfare and interests of the Communists in America, rather than serve the interests of true Americans who love democracy and believe in our system of government.

Mr. EASTLAND. I do not think there can be any doubt about that.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield to the Senator from Georgia for a question.

Mr. RUSSELL. The Senator has referred, in the illustration he has given, to an incident which might occur in an industry. I know the able Senator realizes that this bill applies, not only to industry, but to agriculture, to the farmers, and to all other types of business in the United States.

Mr. EASTLAND. Yes; and to the Government.

Mr. RUSSELL. A beauty parlor or a drug store or a little corner grocery store which employs more than six persons would be compelled to accept into its business, into positions of trust, the persons selected by the Board. Of course, we have had no board with anything like the far-reaching powers which are proposed to be vested in the Board to be appointed under the pending bill. We have, however, had a Board of rather limited powers. It was created by Executive order. We know that that Board sought to reach out and assume jurisdiction in cases in which it did not have it, and because it did not have such jurisdic-

tion it came to the Congress with this bill, in order to have power given it over all American life and business.

But the Senator has referred to the Government, and that is what frightens me in connection with the discussion about subversive groups. I am concerned about the power which would be given this group to handle employment in our Government. We can judge the future only by the past. In the past the members of the Board have at least belonged to the group known as "fellow travelers" of the Communist Party. Inasmuch as the bill would give the Board power to regulate employment in the various departments of our Government, I ask the Senator what would be the almost certain effect? I ask him whether it would not be true that as positions of trust became available—positions whose occupants mold the domestic policies of our Government and our relations with foreign countries, who have charge of Government secrets of primary importance to the welfare of our people—this Board, with the power to force even the President of the United States to carry out its orders, could within a few months put subversive men into all the key positions of our Government and could set in motion a train of consequences which would pull down the citadel of our Government round our ears.

Mr. EASTLAND. Mr. President, I think the Senator is exactly correct. I should like to ask the distinguished Senator from Georgia a question, if I may do so without jeopardizing my position on the floor. There is no doubt that, under the bill, schools which receive Federal financial aid for vocational training or other purposes would come under its provisions.

Mr. RUSSELL. I think there can be no question about that.

Mr. EASTLAND. Suppose in one of those schools there was a teacher who taught communism, who encouraged it, who supported it among the students. Does the Senator think she could be fired?

Mr. RUSSELL. She could not be removed. The board of trustees would be powerless to remove her without losing all Federal funds, if the board appointed under the bill were to issue a desist order. The Senator knows, of course, that even if a Communist were to obtain a position of power in a labor organization and were willfully to try to cause trouble, through his prominent position in the labor organization, if that labor organization met and sought to oust him from his position and if the board determined that such action was taken on account of his creed or belief, then all the members of that labor organization could wind up in jail because they tried to purge their ranks of a trouble breeder—an alien who was trying to disrupt our form of government.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I simply wish to make an observation and ask the Senator if he does not agree, namely, that by the passage of this bill we are not only opening the door of our Government to Com-

munist and those who wish to change it and destroy it but we are putting out a frank "welcome" sign, welcoming them to come in. Does not the Senator believe that, under the terms of this bill, an avowed Communist under the pay and direction and orders of Moscow could apply to a Federal agency of the Government for a job, and, if he were otherwise qualified by education and experience and training, he would have to be employed by the agency, for if it refused to employ him because he was an avowed Communist and wished to overthrow this Government, then the agency would be subjected to the penalties which the board would be given authority and jurisdiction to impose? Not only would the door be opened to such persons but over it a "welcome" sign would be placed, and in effect such a person would be told, "Come in, all you Communists. We welcome you here."

Mr. EASTLAND. Certainly that would happen. All our Government agencies would find themselves in that position.

Mr. RUSSELL. The bill would certainly invite anyone from abroad to come here and secure preferential treatment.

Mr. EASTLAND. It would give preference to an alien, as compared to an American soldier who had been wounded in the war and had given his blood for his country.

Mr. President, I now wish to discuss briefly the judicial system which would be set up under the bill, and to show that it would be practically the system in vogue in the Soviet Union today. Under the theory of our Government the American judiciary is a free and independent branch; it is separate from the executive branch, and separate from the legislative branch, and is a check upon the power of both.

I now wish to read from a statement by Krylenko, one of the leading authorities of the Soviet Union on the place of the courts in Communist Russia. Krylenko was the foremost author of works on the Soviet judiciary until the thirties, and his theory of the court in general, and the Soviet court in particular, was as follows:

No court was ever above the class interests, and if it were such a court, we would not care for it \* \* \*. The court is, and still remains, the only thing it can be by its nature as an organ of the government power—a weapon for the safeguarding of the interests of a given ruling class.

Mr. President, I submit that the pending bill provides for the establishment of an administrative agency as a part of the legislative branch of the Government, which will have as a part of its functions the promotion of the interests of separate classes of our citizens, namely, minority groups.

Mr. Krylenko continues:

A club is a primitive weapon, a rifle is a more efficient one, the most efficient is the court. For us there is no difference between a court of law and summary justice. A court is merely a better organized form which warrants a minimum of possible mistakes and better evidence of the fact of the time.

The court is an organ of state administration and as such does not differ in its nature from any other organs of administration

which are designed, as the court is, to carry out one and the same governmental policy.

To carry out a government policy. That certainly is not the rule in America, but it is the rule provided for in the pending bill.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. The distinction between the courts of communistic governments and those of democracies, such as ours, is this: The courts in a communistic government are designed to enforce the policies of the government, whereas in a democracy the primary purpose of the courts is to protect the rights of the individual citizen.

Mr. EASTLAND. The Senator is correct.

Mr. McCLELLAN. I have stated the distinction between the two types of courts.

Mr. EASTLAND. I may state a further distinction. In communistic states courts are established for the protection and promotion of a class.

Mr. McCLELLAN. That class being the ruling class. The Senator is correct.

Under the terms of the pending bill, and its provisions with respect to adjudication of allegations of discrimination, the Commission is to be vested with powers similar to those which are now conferred upon courts in communistic governments. Those powers are to be used for the purpose of enforcing the policy of the Commission against all others, irrespective of their independent views, their liberty, or the freedom which the Constitution guarantees to them.

Mr. EASTLAND. Those powers are to be exercised against the rights of the individual, such as his right of freedom, his right of employment, and so forth. I continue the quotation:

Our judge is above all a politician, a worker in the political field \* \* \* and therefore he must know what the Government wants and to guide his work accordingly \* \* \* therefore the court must be organized so that there must be a possibility to direct the verdict in conformity with the aims of the state policy which is pursued by the government.

Mr. McCLELLAN. In other words, the Commission is to be established for but one thing, namely, to carry out orders issued by the ruling authority.

Mr. EASTLAND. The Senator is correct. Does not the Senator know that the Commission would exercise such powers freely and without restraint?

Mr. McCLELLAN. I am sure that the Commission would exercise such powers and that those powers would even exceed some of the powers of the Chief Executive in that the Commission could order him around.

Mr. EASTLAND. The Commission could go further than a communistic court in Russia could go.

Mr. McCLELLAN. I believe the Senator to be correct.

Mr. EASTLAND. What I have said applies even to the OGPU, which, under certain conditions, is subject to orders of the district attorney. I submit that this Commission, if established, will be the



most totalitarian court in the world today.

I continue reading:

We look at the court as a class institution, as an organ of government power, and we erect it as an organ completely under control of the vanguard of the working class. \* \* \* Our court is not an organ independent of the governmental power. \* \* \* Therefore it cannot be organized in any way other than being dependent upon and removable by the Soviet power.

Mr. President, I submit that, generally speaking, the policies to which reference is made in the statement which I have read reflect the policy which will underlie hearings to be held by the Commission provided for by the pending bill.

What is the system in vogue in Soviet Russia today? I now read from a synopsis of Russian statutes which has been prepared by a very able man whose name I will give if I am requested to do so. He holds a very important position in this Government. He studied law at the University of Moscow and practiced law in Soviet Russia. He graduated at Heidelberg, Germany, and from the University of Leipzig. Today he is in charge of a foreign-law section in a great agency of the American Government. I know that the synopsis which he has prepared is absolutely correct in all its details.

What is the procedure which is followed in the Soviet Union? Upon information that a crime has been committed, administrative agencies in Russia investigate all the pertinent facts.

What would happen under this bill? When the Commission had received information, regardless of the source from which it had come, or by what method, such as over the telephone, by letter, hearsay, or whatever manner in which it may have heard that discrimination had taken place, it would send an agent to conduct an investigation. It would not be necessary for the aggrieved person to have made a complaint. During the beginning of the process the Commission would operate exactly under the same system which obtains in Russia. I read further from the report on Soviet law:

The person, if suspected, cannot avail himself of a counsel for his defense until an investigation is concluded.

Under the pending bill the accused would be forced to give evidence against himself. Under the Russian system, after a person is indicted he may not be forced to testify against himself. But the system in effect there is to put him on the witness stand as a witness during the preliminary investigation, swear him, make him testify, and later set his testimony out in full in an indictment. In effect, he has been made to give evidence against himself, which is exactly what would take place under the agency provided for in the pending bill.

I continue reading:

The administrative agencies are, if a case is transferred to them by a court—

That means by the Ogpu. It is not limited in any particular manner, and it may assume jurisdiction of a case and then transfer it to another, a judicial officer who is not required to have any legal training. In the pending bill a hearing is provided for. The Commis-

sion is the grand jury, prosecutor, judge, and jury. But the man who is present as the judicial officer is not required to have a legal training. Neither is a judge in Soviet Russia. When I speak of Soviet Russia, Mr. President, I refer to a system which is generally in effect in eastern and southern Europe today. The man who wrote Senate bill 101 had intimate knowledge of the judicial procedure obtaining in the areas to which I have referred.

Mr. RUSSELL. Mr. President, while the Senator is speaking of the fact that under the pending bill a person could be compelled to testify against himself, I think it is well to read the provision of the bill covering that point. Paragraph (c) of section 11 reads:

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture.

Of course, as the Senator has pointed out, that is the same rule that is applied by the Ogpu in Russia, and that was applied by the Gestapo when it was in power in Germany. The language which I have read is one of the earmarks of the totalitarian state, and would deny the right of the accused to present testimony in behalf of himself.

Mr. EASTLAND. The Senator is correct.

Mr. McCLELLAN. I listened to the language which was read by the able Senator from Georgia, and noted that in it there is a provision that the accused shall be required to testify. Then the language continues:

But no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

The point I wish to make is that when a man is brought before the Commission, or its agent, he is compelled to tell all he knows about himself, and that is used as the basis for an indictment; yet it is said he will not be punished. It is contradictory; it is inconsistent. It is an impossible imposition upon the human equation, because no man sitting as a judge would be capable of carrying out the full letter of the law. No human being could do it. I make a charge against someone; I make him tell me all that occurred and happened yesterday; then I disabuse my mind of that and do not consider it in weighing his character, weighing him for what he is, or weighing the charge that is to be made against him? It is a human impossibility. Not a Senator could do it; not a judge could do it; not a jury could do it.

Mr. RUSSELL. Mr. President, it is repugnant to the concept of Anglo-Saxon justice to make a man testify against himself. There are two reasons for such a concept. In the first place, back in the days when America meant something

and being an American citizen was considered as a badge of honor and distinction, the mere fact that a man was compelled to plead guilty to the Commission of an offense was considered a penalty. The Constitution threw its arms around the citizen and said that no man should be compelled to bear testimony against himself or to incriminate himself. Now it is proposed to amend the Constitution by this proposed law, and say we will make a man testify against himself, despite the provision of the Constitution, in the Bill of Rights, in the fifth amendment, which provides that a man shall not be compelled to incriminate himself.

As the Senator from Arkansas has well pointed out, no human being could dissociate the fact that a man was under compulsion to testify from evidence which came from other sources. A jury could not do it. Under the pending bill a man would not even be allowed a jury, but he would be tried by the Ogpu agent, as the Senator pointed out.

Furthermore, when a man is made to testify against himself, although the proponents of the bill say there is no penalty imposed, yet in the express terms and provisions of the bill, there is held over his head the threat of a prosecution for perjury if he refuses to testify in reply to the evidence the examiner of the Commission might give in the case.

Mr. EASTLAND. Mr. President, I ask Senators to listen to this and see whether this provision is in the bill. I quote from Communist procedure:

A judicial officer who does not necessarily have to have legal training has free hands in summoning and examining witnesses and documents, no matter to whom they belong.

Think of that, Mr. President.

Mr. McCLELLAN. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. McCLELLAN. It is significant to me that there is no provision in the bill—at least I have been unable to find any—making allowance for the expenses an individual who was accused would incur, and would of necessity have to incur, to produce his witnesses wherever the hearing was held.

Mr. EASTLAND. I was about to come to that.

Mr. McCLELLAN. I am talking about the particular bill we are discussing. If a citizen of the Senator's State of Mississippi is charged with discriminating and refusing to employ someone on account of his race, creed, or color, and the hearing is set here before a Commissioner, the man might have 25 witnesses from whom he could produce evidence to the effect that he had not discriminated on account of race, creed, color, or national origin. Yet, in order to enable him to make his defense, someone would have to pay the expense of transportation and the other necessary expenses involved in his appearing in Washington, or wherever the hearing was held, in order to establish his innocence, because that is what he would have to do. There is no presumption of innocence in this measure.

Mr. EASTLAND. Of course not. Let me say to the Senator, there is no presumption of innocence in Soviet Russia either.

Mr. McCLELLAN. That is correct, and the Senator is drawing a very appropriate and timely analogy in the consideration of the bill.

The point I am making is that the small businessman, the struggling businessman, is helpless. He cannot defend himself. The bill starts out with a presumption that, once he is accused, he has violated the law, discriminated against someone, and he is not able to defend himself. He has to yield to a little investigator; he has to bow to his will; he has to bow to intimidation; he has not the means to come to Washington and appear before the Commission, or to go somewhere else and defend his liberty.

Mr. EASTLAND. Mr. President, that is not the worst feature of it. An accused person can be required to bring his witnesses from Little Rock to Washington; he can then be required to go to San Francisco with his witnesses, and then be required to go to the city of Detroit, all at his own expense, for hearings, under a system under which I think it is admitted by some of the proponents of the bill fictitious complaints will be made by men who are fired.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McMAHON. I have no intention of entering into the debate, but I will say that the provision of the bill to which reference has just been made should be stricken out. For several years I think there has been a tendency on the part of the Government to select the jurisdiction in which it desires to proceed. As Senators know, under the conspiracy statutes of the United States, an accused person can be tried in California, or he can be tried in New York. It is up to the prosecutor to select the district in which he is to be tried.

Mr. McCLELLAN. If the Senator from Mississippi will yield at that point, under those statutes the burden is on the Government to procure the attendance of the witnesses of the accused in his own defense.

Mr. McMAHON. That is also true.

Mr. McCLELLAN. Under the pending bill there is no such burden on the Government.

Mr. McMAHON. All the more, then, do I think that particular provision of the bill should be stricken out.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Nathan Cayton, of the District of Columbia, to be chief judge of the Municipal Court of Appeals for the District of Columbia, vice William E. Richardson, deceased;

Roy M. Shelbourne, of Kentucky, to be United States district judge for the western district of Kentucky, vice Shackelford Miller, Jr., elevated;

Edward S. Kampf, of New York, to be United States district judge for the northern district of New York, vice Frederick H. Bryant, deceased;

J. Vincent Keogh, of New York, to be United States attorney for the eastern district of New York, vice Miles F. McDonald, resigned;

Alexander M. Campbell, of Indiana, to be United States attorney for the northern district of Indiana;

Al W. Hosinski, of Indiana, to be United States marshal for the northern district of Indiana; and

John M. Comeford, of Wisconsin, to be United States marshal for the western district of Wisconsin.

#### RECESS

Mr. CHAVEZ. Mr. President, I understand the Senator from Mississippi [Mr. EASTLAND] has the floor. Am I correct?

Mr. EASTLAND. Yes.

Mr. CHAVEZ. Is the Senator willing that the Senate recess at this time provided he does not lose the floor?

Mr. EASTLAND. I am willing that the Senate recess at this time provided I retain the floor.

Mr. CHAVEZ. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 14 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 5, 1946, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate February 4 (legislative day of January 18), 1946:

##### ASSISTANT COMMISSIONER OF PATENTS

Thomas F. Murphy, of Massachusetts, to be Assistant Commissioner of Patents, vice Conder C. Henry, resigned.

##### PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

(Those officers whose names are preceded by the symbol (X) are subject to examination required by law. All others have been examined and found qualified for promotion.)

To be colonels with rank from December 28, 1945

X Lt. Col. Joseph Leon Phillips, Cavalry (temporary brigadier general).

X Lt. Col. Harry Innes Thornton Creswell, Infantry (temporary colonel).

Lt. Col. Lloyd Harlow Cook, Infantry (temporary colonel).

Lt. Col. Kenneth McCatty, Coast Artillery Corps (temporary colonel).

X Lt. Col. Harold Holmes Ristine, Field Artillery (temporary colonel).

Lt. Col. Charles Timothy Senay, Infantry (temporary colonel).

Lt. Col. Egmont Francis Koenig, Infantry (temporary brigadier general).

Lt. Col. Theodore Woodward Wrenn, Field Artillery (temporary colonel).

Lt. Col. Harold Whitaker Rehm, Ordnance Department (temporary colonel).

Lt. Col. Peter Kenrick Kelly, Coast Artillery Corps (temporary colonel).

Lt. Col. Kramer Thomas, Cavalry (temporary colonel).

Lt. Col. Lawrence John Ingram Barrett, Infantry (temporary colonel).

Lt. Col. Clifford Hildebrandt Tate, Field Artillery (temporary colonel).

Lt. Col. Oliver Patton Echols, Air Corps (temporary major general).

Lt. Col. Willard Stratton Wadleton, Cavalry (temporary colonel).

X Lt. Col. John Murray Jenkins, Jr., Field Artillery (temporary colonel).

Lt. Col. Frank Lewis Cullin, Jr., Infantry (temporary major general).

Lt. Col. Beverly Hare Colner, Cavalry (temporary colonel).

X Lt. Col. Albert Dewitt Chipman, Coast Artillery Corps (temporary colonel).

X Lt. Col. Robert Edgar Turley, Jr., Coast Artillery Corps (temporary colonel).

X Lt. Col. Ralph Corbett Smith, Infantry (temporary major general).

X Lt. Col. William Moses Goodman, Coast Artillery Corps (temporary major general).

X Lt. Col. Arthur Henry Truxes, Cavalry (temporary colonel).

X Lt. Col. Gordon Joseph Fred Heron, Cavalry (temporary colonel).

X Lt. Col. Thomas Seelye Arms, Infantry (temporary brigadier general).

Lt. Col. Archelaus Lewis Hamblen, Infantry (temporary brigadier general).

X Lt. Col. Paul Whitten Mapes, Infantry (temporary colonel).

Lt. Col. Robert Chauncey Macon, Infantry (temporary major general).

X Lt. Col. Stanley Bacon, Field Artillery (temporary colonel).

X Lt. Col. Samuel Victor Constant, Cavalry (temporary colonel).

X Lt. Col. William Curtis Chase, Cavalry (temporary major general).

Lt. Col. Norman Edgar Fiske, Cavalry (temporary colonel).

X Lt. Col. Wilson Tarlton Bals, Cavalry (temporary colonel).

X Lt. Col. Cyrus Jenness Wilder, Cavalry (temporary colonel).

Lt. Col. Harold Charles Fellows, Cavalry (temporary colonel).

X Lt. Col. George Lester Kraft, Infantry (temporary colonel).

X Lt. Col. John Singleton Switzer, Infantry (temporary colonel).

X Lt. Col. Robert Ellsworth Phillips, Coast Artillery Corps (temporary colonel).

Lt. Col. Allen Frederick Kingman, Infantry (temporary brigadier general).

Lt. Col. Leander Russell Hathaway, Infantry (temporary colonel).

Lt. Col. John Theodore Pierce, Cavalry (temporary brigadier general).

X Lt. Col. Vincent Bargmant Dixon, Air Corps (temporary colonel).

X Lt. Col. Wilmer Stanley Phillips, Coast Artillery Corps (temporary colonel).

X Lt. Col. Leven Cooper Allen, Infantry (temporary major general).

Lt. Col. Cornelius Martin Daly, Cavalry (temporary brigadier general).

X Lt. Col. Oliver Arlington Hess, Infantry (temporary colonel).

Lt. Col. Edward Amende Allen, Signal Corps (temporary colonel).

Lt. Col. Frank Lawrence Whittaker, Cavalry (temporary colonel).

X Lt. Col. Edgar Harrison Underwood, Coast Artillery Corps (temporary brigadier general).

X Lt. Col. Jedediah Huntington Hills, Adjutant General's Department (temporary colonel).

X Lt. Col. Donald Strong Perry, Cavalry (temporary colonel).

X Lt. Col. John Eubank Copeland, Infantry (temporary brigadier general).

Lt. Col. Frederick Reid Lafferty, Cavalry (temporary colonel).

X Lt. Col. Joseph LeTourneau Lancaster, Infantry (temporary colonel).

X Lt. Col. David Renwick Kerr, Infantry (temporary colonel).

X Lt. Col. Arthur Titman Lacey, Cavalry (temporary colonel).

X Lt. Col. Paul Hills French, Coast Artillery Corps (temporary colonel).



- ×Lt. Col. Sidney Sohns Eberle, Infantry (temporary colonel).  
 ×Lt. Col. Joseph Nicholas Dalton, Adjutant General's Department (temporary major general).  
 Lt. Col. David Wilson Craig, Field Artillery (temporary colonel).  
 ×Lt. Col. Thomas Gannt Dobyns, Cavalry (temporary colonel).  
 ×Lt. Col. John Thomas Minton, Cavalry (temporary colonel).  
 Lt. Col. Horace Lincoln Whittaker, Quartermaster Corps (temporary brigadier general).  
 ×Lt. Col. Walter Alexander Pashley, Quartermaster Corps (temporary colonel).  
 Lt. Col. Edward Fondren Shaifer, Cavalry (temporary colonel).  
 ×Lt. Col. Richard Gentry Tindall, Infantry (temporary brigadier general).  
 ×Lt. Col. Graham Wallace Lester, Infantry (temporary colonel).  
 ×Lt. Col. Francis Artaud Byrne, Infantry.  
 Lt. Col. Farragut Ferry Hall, Quartermaster Corps (temporary colonel).  
 Lt. Col. Orville Monroe Moore, Field Artillery (temporary colonel).  
 ×Lt. Col. Leonard Russell Boyd, Infantry (temporary brigadier general).  
 Lt. Col. Withers Alexander Burrell, Infantry (temporary major general).  
 ×Lt. Col. Harry Lee Bennett, Signal Corps (temporary colonel).  
 Lt. Col. John Cheney Platt, Jr., Signal Corps (temporary colonel).  
 Lt. Col. James Lindley Hatcher, Ordnance Department (temporary colonel).  
 Lt. Col. Charles Winship Jones, Infantry (temporary colonel).  
 ×Lt. Col. Paul Nutwell Starlings, Infantry (temporary colonel).  
 ×Lt. Col. Sevier Rains Tupper, Infantry (temporary colonel).  
 Lt. Col. Irving Carrington Avery, Infantry (temporary colonel).  
 Lt. Col. Aaron Joseph Becker, Infantry (temporary colonel).  
 ×Lt. Col. Wilson McKay Spann, Infantry (temporary colonel).  
 ×Lt. Col. James Vernon Ware, Infantry (temporary colonel).  
 Lt. Col. Robert Washington Brown, Judge Advocate General's Department (temporary colonel).  
 ×Lt. Col. Charles Lowndes Steel, Infantry (temporary colonel).  
 Lt. Col. Manuel Benigno Navas, Infantry (temporary colonel).  
 ×Lt. Col. Enrique Manuel Benitez, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. Andres Lopez, Infantry (temporary colonel).  
 ×Lt. Col. Modesto Enrique Rodriguez, Infantry (temporary colonel).  
 ×Lt. Col. John Wallick McDonald, Cavalry (temporary colonel).  
 ×Lt. Col. David Hazen Blakelock, Cavalry (temporary brigadier general).  
 Lt. Col. John Warren Cotton, Infantry (temporary colonel).  
 ×Lt. Col. Ira Benjamin Hill, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. Albert Russell Ives, Field Artillery (temporary colonel).  
 Lt. Col. Paul James Dowling, Infantry (temporary colonel).  
 Lt. Col. John Lenhart Rice, Cavalry (temporary colonel).  
 Lt. Col. Willis Henry Hale, Air Corps (temporary major general).  
 ×Lt. Col. William Powell Scobey, Infantry (temporary colonel).  
 Lt. Col. William Cheney Moore, Infantry (temporary colonel).  
 ×Lt. Col. Wharton Girard Ingram, Cavalry (temporary colonel).  
 Lt. Col. Herman Frederick Kramer, Infantry (temporary major general).  
 Lt. Col. Clarence Paul Evers, Infantry (temporary colonel).  
 ×Lt. Col. Charles Wesley Gallaher, Field Artillery (temporary colonel).  
 ×Lt. Col. Adrian S. John, Chemical Warfare Service (temporary colonel).  
 Lt. Col. John Colford Daly, Cavalry (temporary colonel).  
 Lt. Col. Paul Everton Peabody, Infantry (temporary brigadier general).  
 ×Lt. Col. Albert Francis Christie, Infantry (temporary colonel).  
 ×Lt. Col. Ernest Hill Burt, Judge Advocate General's Department (temporary brigadier general).  
 ×Lt. Col. Ray Milton O'Day, Infantry (temporary colonel).  
 ×Lt. Col. James Madison Garrett, Jr., Field Artillery (temporary colonel).  
 ×Lt. Col. Julian Wallace Cunningham, Cavalry (temporary brigadier general).  
 Lt. Col. Clarence Edward Cotter, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. Gordon Bennett Welch, Ordnance Department (temporary colonel).  
 ×Lt. Col. Edmund Bernard Edwards, Field Artillery (temporary colonel).  
 ×Lt. Col. Merritt Elijah Olmstead, Infantry (temporary colonel).  
 Lt. Col. Benjamin Franklin Caffey, Jr., Infantry (temporary brigadier general).  
 Lt. Col. Frank August Helleman, Corps of Engineers (temporary major general).  
 ×Lt. Col. Clinton Albert Pierce, Cavalry (temporary brigadier general).  
 ×Lt. Col. McFarland Cockrill, Cavalry (temporary colonel).  
 ×Lt. Col. Otto Blaine Trigg, Cavalry (temporary colonel).  
 Lt. Col. Edison Albert Lynn, Ordnance Department (temporary colonel).  
 ×Lt. Col. Lawrence Cordell Frizzell, Cavalry (temporary colonel).  
 ×Lt. Col. Guy Humphrey Drewry, Ordnance Department (temporary brigadier general).  
 Lt. Col. Henry Davis Jay, Field Artillery (temporary brigadier general).  
 Lt. Col. Clarence Maxwell Culp, Infantry (temporary colonel).  
 Lt. Col. Ray Lawrence Burnell, Field Artillery (temporary brigadier general).  
 Lt. Col. Raphael Saul Chavin, Ordnance Department (temporary brigadier general).  
 ×Lt. Col. John Lester Scott, Finance Department (temporary colonel).  
 ×Lt. Col. Philip Shaw Wood, Infantry (temporary colonel).  
 Lt. Col. William Henry McCutcheon, Infantry (temporary colonel).  
 ×Lt. Col. Adlai Cyrus Young, Infantry (temporary colonel).  
 ×Lt. Col. Clinton Inness McClure, Field Artillery (temporary colonel).  
 ×Lt. Col. Evan Clouser Seaman, Coast Artillery Corps (temporary colonel).  
 Lt. Col. Henry Rasick Behrens, Coast Artillery Corps.  
 ×Lt. Col. Roy Charles Lemach, Graham, Quartermaster Corps (temporary brigadier general).  
 Lt. Col. George Ralph Barker, Infantry (temporary colonel).  
 ×Lt. Col. John Waldemar Thompson, Infantry (temporary colonel).  
 ×Lt. Col. Archie Arrington Farmer, Signal Corps (temporary brigadier general).  
 ×Lt. Col. Charles Sabin Ferrin, Field Artillery (temporary brigadier general).  
 Lt. Col. Roger Hilsman, Infantry (temporary colonel).  
 ×Lt. Col. Holmes Ely Dager, Infantry (temporary major general).  
 Lt. Col. Harry Elmer Fischer, Infantry (temporary colonel).  
 ×Lt. Col. Roger Williams, Jr., Infantry (temporary colonel).  
 Lt. Col. Harry Brandley Hildebrand, Infantry (temporary colonel).  
 ×Lt. Col. Louis Whorley Hasslock, Field Artillery.  
 Lt. Col. Frederick Stone Matthews, Infantry (temporary colonel).  
 ×Lt. Col. William E. Kepner, Air Corps (temporary major general).  
 ×Lt. Col. Marcus Aurelius Smith Ming, Field Artillery (temporary colonel).  
 Lt. Col. Walter Raymond Graham, Infantry (temporary colonel).  
 ×Lt. Col. James Patrick Murphy, Infantry (temporary colonel).  
 ×Lt. Col. Jacob Edward Bechtold, Infantry (temporary colonel).  
 Lt. Col. Neal Creighton Johnson, Infantry (temporary brigadier general).  
 ×Lt. Col. Norman Pyle Groff, Infantry (temporary colonel).  
 ×Lt. Col. Glenn Adelbert Ross, Infantry (temporary colonel).  
 ×Lt. Col. Francis Augustus Woolfley, Infantry (temporary brigadier general).  
 ×Lt. Col. Nelson Dingley 3d, Coast Artillery Corps (temporary colonel).  
 Lt. Col. Richard Weaver Hocker, Field Artillery (temporary colonel).  
 Lt. Col. Joseph Ware Whitney, Infantry (temporary colonel).  
 Lt. Col. Peter Paul Salgado, Infantry (temporary colonel).  
 ×Lt. Col. Martin Ackerson, Infantry.  
 Lt. Col. William Johnston Bacon, Judge Advocate General's Department (temporary colonel).  
 Lt. Col. Frank Unsworth McCoskrie, Infantry (temporary colonel).  
 Lt. Col. Edward William Bondy, Infantry.  
 Lt. Col. Andrew Jackson McFarland, Infantry (temporary brigadier general).  
 Lt. Col. John Miller Fray, Field Artillery (temporary colonel).  
 Lt. Col. Harold Howard Galliett, Infantry (temporary colonel).  
 ×Lt. Col. John Vincil Stark, Infantry.  
 ×Lt. Col. Grover Be Egger, Infantry (temporary colonel).  
 ×Lt. Col. Clyde Pickett, Adjutant General's Department (temporary colonel).  
 Lt. Col. Paul Oscar Franson, Infantry (temporary colonel).  
 Lt. Col. John Neely Hopkins, Infantry (temporary colonel).  
 ×Lt. Col. George William Gillette, Corps of Engineers (temporary colonel).  
 ×Lt. Col. William Agnew Howland, Infantry.  
 Lt. Col. Clifton Augustine Pritchett, Infantry (temporary colonel).  
 Lt. Col. Luke Donald Zech, Infantry (temporary colonel).  
 ×Lt. Col. Lucian Dalton Bogan, Infantry (temporary colonel).  
 ×Lt. Col. William Pitt Morse, Infantry (temporary colonel).  
 Lt. Col. Roy Eugene Blount, Cavalry (temporary brigadier general).  
 Lt. Col. Hubert Vincent Hopkins, Air Corps (temporary colonel).  
 ×Lt. Col. Thomas Ralph Miller, Field Artillery (temporary colonel).  
 ×Lt. Col. Frank Edwin Sharpless, Infantry.  
 ×Lt. Col. Nels Erick Stadig, Infantry (temporary colonel).  
 ×Lt. Col. Ben-Hur Chastaine, Infantry (temporary colonel).  
 Lt. Col. Leigh Bell, Infantry (temporary colonel).  
 Lt. Col. George Frederick Spann, Quartermaster Corps (temporary colonel).  
 Lt. Col. Harry Clayton Luck, Infantry (temporary colonel).  
 ×Lt. Col. Harry Richardson Simmons, Infantry (temporary colonel).  
 ×Lt. Col. Kenneth Frederick Hanst, Infantry (temporary colonel).  
 ×Lt. Col. Everett Charles Williams, Field Artillery (temporary colonel).  
 Lt. Col. Maurice Clenen Bigelow, Infantry (temporary colonel).  
 ×Lt. Col. Ross Ormali Baldwin, Infantry (temporary colonel).  
 ×Lt. Col. James Alphonse Kilian, Cavalry (temporary colonel).  
 ×Lt. Col. Thomas Ralph Kerschner, Field Artillery (temporary colonel).  
 ×Lt. Col. Otho Wilder Humphries, Quartermaster Corps (temporary colonel).  
 Lt. Col. Perry Lee Baldwin, Infantry (temporary colonel).  
 Lt. Col. George Thomas Shank, Infantry (temporary colonel).

×Lt. Col. Thomas Butler Burgess, Infantry (temporary colonel).  
 ×Lt. Col. Albert Chester Searle, Field Artillery (temporary colonel).  
 Lt. Col. Carl Austin Russell, Infantry (temporary brigadier general).  
 ×Lt. Col. Will Gillett Gooch, Quartermaster Corps (temporary colonel).  
 ×Lt. Col. Chauncey Harold Hayden, Infantry.  
 ×Lt. Col. Erle Oden Sandlin, Infantry (temporary colonel).  
 Lt. Col. Isaac George Walker, Cavalry (temporary colonel).  
 ×Lt. Col. Walter Edward Jenkins, Field Artillery (temporary colonel).  
 ×Lt. Col. William Elmer Lynd, Air Corps (temporary brigadier general).  
 ×Lt. Col. Ernest Louis McLendon, Infantry (temporary colonel).  
 Lt. Col. Rhodes Felton Arnold, Infantry (temporary colonel).  
 Lt. Col. Aln Dudley Warnock, Infantry (temporary brigadier general).  
 ×Lt. Col. Eugene Nelson Slappey, Infantry (temporary colonel).  
 ×Lt. Col. Stephen Garrett Henry, Infantry (temporary major general).  
 ×Lt. Col. Harwood Christian Bowman, Field Artillery (temporary brigadier general).  
 Lt. Col. Rosenham Beam, Air Corps (temporary colonel).  
 ×Lt. Col. Pleas Blair Rogers, Infantry (temporary brigadier general).  
 ×Lt. Col. Frank Alfred Jones, Infantry (temporary colonel).  
 ×Lt. Col. Donald Wilson, Air Corps (temporary major general).  
 Lt. Col. John Derby Hood, Cavalry.  
 ×Lt. Col. Claude Greene Hammond, Infantry (temporary colonel).  
 ×Lt. Col. James Patrick Moore, Infantry (temporary colonel).  
 ×Lt. Col. Frank Austin Heywood, Quartermaster Corps (temporary colonel).  
 ×Lt. Col. John Jacob Bethurum Williams, Field Artillery (temporary colonel).  
 ×Lt. Col. Randolph Gordon, Infantry (temporary colonel).  
 Lt. Col. Charles McDonald Parkin, Infantry (temporary colonel).  
 ×Lt. Col. Philip Coleman Clayton, Cavalry (temporary colonel).  
 ×Lt. Col. William Francis Heavey, Corps of Engineers (temporary brigadier general).  
 ×Lt. Col. Robert Marks Bathurst, Field Artillery (temporary brigadier general).  
 Lt. Col. Daniel Noco, Corps of Engineers (temporary major general).  
 ×Lt. Col. Willis Edward Teale, Corps of Engineers (temporary colonel).  
 Lt. Col. Clark Kittrell, Corps of Engineers (temporary colonel).  
 ×Lt. Col. Charles Everett Hurdie, Field Artillery (temporary major general).  
 ×Lt. Col. Henry Hutchings, Jr., Corps of Engineers (temporary brigadier general).  
 ×Lt. Col. Henry John Schroeder, Signal Corps (temporary colonel).  
 ×Lt. Col. John Matthew Devine, Field Artillery (temporary major general).  
 Lt. Col. Harold Albert Nisley, Ordnance Department (temporary brigadier general).  
 ×Lt. Col. James Louis Guion, Ordnance Department (temporary colonel).  
 Lt. Col. George Douglas Wahl, Field Artillery (temporary brigadier general).  
 ×Lt. Col. Basil Harrison Perry, Field Artillery (temporary brigadier general).  
 Lt. Col. Harold Rufus Jackson, Coast Artillery Corps (temporary brigadier general).  
 ×Lt. Col. Ray Hartwell Lewis, Field Artillery (temporary colonel).  
 Lt. Col. Augustus Milton Gurney, Field Artillery (temporary brigadier general).  
 ×Lt. Col. John Trott Murray, Infantry (temporary brigadier general).  
 Lt. Col. Morris Keene Barroll, Jr., Ordnance Department (temporary colonel).  
 ×Lt. Col. Warfield Monroe Lewis, Infantry (temporary colonel).  
 Lt. Col. Walter Wilton Warner, Ordnance Department (temporary colonel).

Lt. Col. Rex Webb Beasley, Field Artillery (temporary brigadier general).  
 Lt. Col. Joseph Lawton Collins, Infantry (temporary lieutenant general).  
 ×Lt. Col. Walter Francis Vander Hyden, Ordnance Department (temporary colonel).  
 Lt. Col. Ira Adam Crump, Ordnance Department (temporary colonel).  
 Lt. Col. Elbert Louis Ford, Ordnance Department (temporary brigadier general).  
 Lt. Col. Scott Brewer Ritchie, Ordnance Department (temporary colonel).  
 Lt. Col. John Tupper Cole, Cavalry (temporary colonel).  
 Lt. Col. George Sampson Beurket, Field Artillery (temporary colonel).  
 Lt. Col. Charles Hunter Gerhardt, Cavalry (temporary major general).  
 Lt. Col. Frederick Augustus Irving, Infantry (temporary major general).  
 ×Lt. Col. Burnett Ralph Olmsted, Ordnance Department (temporary colonel).  
 ×Lt. Col. Matthew Bunker Ridgway, Infantry (temporary lieutenant general).  
 ×Lt. Col. Irvin Edward Doane, Infantry (temporary colonel).  
 ×Lt. Col. Albert Cowper Smith, Cavalry (temporary major general).  
 Lt. Col. Richard Mars Wightman, Field Artillery (temporary colonel).  
 ×Lt. Col. Charles Walter Yuill, Infantry (temporary colonel).  
 Lt. Col. William Willis Eagles, Infantry (temporary major general).  
 ×Lt. Col. Joel Grant Holmes, Ordnance Department (temporary colonel).  
 ×Lt. Col. James Arthur Code, Jr., Signal Corps (temporary major general).  
 ×Lt. Col. William Sackville, Coast Artillery Corps (temporary colonel).  
 Lt. Col. Louis LeRoy Martin, Cavalry (temporary colonel).  
 Lt. Col. William Kelly Harrison, Jr., Cavalry (temporary brigadier general).  
 Lt. Col. Ernest Nason Harmon, Cavalry (temporary major general).  
 ×Lt. Col. Norman Daniel Cota, Infantry (temporary major general).  
 Lt. Col. Christian Gingrich Foltz, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. Joseph Scranton Tate, Field Artillery (temporary colonel).  
 ×Lt. Col. Robert Bundy Ransom, Infantry (temporary colonel).  
 ×Lt. Col. Arthur McKinley Harper, Field Artillery (temporary major general).  
 ×Lt. Col. Carleton Coulter, Jr., Infantry (temporary colonel).  
 ×Lt. Col. Aaron Bradshaw, Jr., Coast Artillery Corps (temporary brigadier general).  
 Lt. Col. Robert Newton Kunz, Signal Corps (temporary colonel).  
 ×Lt. Col. Charles Solomon Kilburn, Cavalry (temporary colonel).  
 Lt. Col. Willis Richardson Slaughter, Ordnance Department (temporary colonel).  
 Lt. Col. George Hatton Weems, Infantry (temporary brigadier general).  
 Lt. Col. Charles Radcliffe Johnson, Jr., Cavalry (temporary colonel).  
 ×Lt. Col. William Claude McMahon, Infantry (temporary brigadier general).  
 ×Lt. Col. Bertrand Morrow, Cavalry (temporary colonel).  
 ×Lt. Col. Harry Russell Pierce, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. Lawrence Collamore Mitchell, Coast Artillery Corps (temporary colonel).  
 Lt. Col. Milton Baldrige Halsey, Infantry (temporary brigadier general).  
 ×Lt. Col. Charles Love Mullins, Jr., Infantry (temporary major general).  
 Lt. Col. Sterling Alexander Wood, Infantry (temporary colonel).  
 ×Lt. Col. Alexander Hunkins Campbell, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. David Sheridan Rumbough, Field Artillery (temporary colonel).  
 Lt. Col. Marvill Groves Armstrong, Coast Artillery Corps (temporary colonel).  
 ×Lt. Col. Donovan Swanton, Infantry (temporary colonel).

×Lt. Col. Francis Atherton Macon, Jr., Adjutant General's Department (temporary colonel).  
 Lt. Col. Laurence Bolton Keiser, Infantry (temporary brigadier general).  
 ×Lt. Col. Homer Caffee Brown, Infantry (temporary brigadier general).  
 ×Lt. Col. Clare Hibbs Armstrong, Coast Artillery Corps (temporary brigadier general).  
 Lt. Col. Harris Marcy Melasky, Infantry (temporary major general).  
 Lt. Col. John Clement Whitcomb, Infantry (temporary colonel).  
 Lt. Col. Wallace James Redner, Quartermaster Corps.  
 ×Lt. Col. Paul Hancock Brown, Infantry (temporary colonel).  
 ×Lt. Col. William Stuart Eley, Infantry (temporary colonel).  
 Lt. Col. Joseph Pesca Sullivan, Quartermaster Corps (temporary brigadier general).  
 ×Lt. Col. Clarke Kent Fales, Infantry (temporary colonel).  
 ×Lt. Col. Solomon Foote Clark, Field Artillery (temporary colonel).  
 Lt. Col. Russell Gilbert Barkalow, Field Artillery (temporary colonel).  
 ×Lt. Col. Frank Augustus Keating, Infantry (temporary major general).  
 Lt. Col. Richard David Daugherty, Finance Department (temporary colonel).  
 Lt. Col. Joseph Clark Addington, Infantry (temporary colonel).  
 Lt. Col. Allison Joseph Barnett, Infantry (temporary major general).  
 ×Lt. Col. John Andrew Porter, Quartermaster Corps (temporary brigadier general).  
 ×Lt. Col. George Frederick Unmacht, Chemical Warfare Service (temporary colonel).  
 ×Lt. Col. William Settle Evans, Field Artillery (temporary colonel).  
 ×Lt. Col. George Herbert Schumacher, Quartermaster Corps (temporary colonel).  
 ×Lt. Col. Walter Moody Tenney, Field Artillery (temporary colonel).  
 Lt. Col. Arthur Shelby Levinsohn, Quartermaster Corps (temporary colonel).  
 Lt. Col. Richard Bartholomew Moran, Signal Corps (temporary brigadier general).  
 Lt. Col. Arthur Oscar Walsh, Finance Department (temporary colonel).  
 ×Lt. Col. Harry Lauman Waggoner, Quartermaster Corps (temporary colonel).  
 ×Lt. Col. Walter Herbert Wells, Infantry.  
 Lt. Col. LeRoy Lutes, Coast Artillery Corps (temporary lieutenant general).  
 ×Lt. Col. Welcome Porter Waltz, Infantry (temporary colonel).  
 Lt. Col. John Walter Crissy, Infantry (temporary colonel).  
 ×Lt. Col. Edwin Hugh Johnson, Infantry (temporary colonel).  
 Lt. Col. Russel McKee Herrington, Corps of Engineers (temporary colonel).  
 ×Lt. Col. Lewis Abram Pulling, Cavalry.  
 ×Lt. Col. Fred Matthew Fogle, Quartermaster Corps (temporary colonel).  
 ×Lt. Col. Charles Erwin Rayens, Infantry (temporary colonel).  
 ×Lt. Col. Sidney Feagin Dunn, Field Artillery (temporary colonel).  
 Lt. Col. William Hones, Infantry (temporary colonel).  
 Lt. Col. Breckinridge Atwater Day, Field Artillery (temporary colonel).  
 ×Lt. Col. Joseph Kennedy, Field Artillery (temporary colonel).  
 Lt. Col. George David Shea, Field Artillery (temporary brigadier general).  
 ×Lt. Col. Donald Coe Hawley, Cavalry.  
 ×Lt. Col. Gilmer Meriwether Bell, Infantry (temporary colonel).  
 Lt. Col. Jay Ward MacKelvie, Field Artillery (temporary brigadier general).  
 Lt. Col. Francis Truman Bonsteel, Cavalry (temporary colonel).  
 Lt. Col. William Edwin Barott, Quartermaster Corps (temporary colonel).  
 ×Lt. Col. Frank Nelson, Cavalry (temporary colonel).



Lt. Col. John Homer Carriker, Field Artillery (temporary colonel).

Lt. Col. Benjamin Harrison Hensley, Infantry (temporary colonel).

Lt. Col. William Samuel Rumbough, Signal Corps (temporary major general).

×Lt. Col. Frank Henry Barnhart, Cavalry (temporary colonel).

Lt. Col. Henry Theophil John Weishaar, Quartermaster Corps (temporary colonel).

Lt. Col. Henry Jeffrey Matchett, Infantry (temporary brigadier general).

×Lt. Col. John William Bulger, Infantry (temporary colonel).

×Lt. Col. Crosby Nickerson Elliott, Quartermaster Corps (temporary colonel).

×Lt. Col. Alton Wright Howard, Cavalry (temporary colonel).

×Lt. Col. Frank Moore Child, Infantry (temporary colonel).

Lt. Col. Hurley Edward Fuller, Infantry (temporary colonel).

×Lt. Col. Larry McHale, Field Artillery.

×Lt. Col. John Paul Horan, Infantry (temporary colonel).

Lt. Col. William Benjamin Wright, Jr., Air Corps (temporary colonel).

Lt. Col. Richard Whitney Carter, Cavalry (temporary colonel).

## HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 4, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art the way, the truth, and the life, whose word is the loftiest teaching of earth, enrich our minds and hearts with Thy heavenly gifts that we may abhor the evil and cleave to that which is good. O take the beam from our own eyes that we may see more clearly to take the mote out of our brother's eye. Unsoiled by the thought of selfishness, unfretted by the faults of others, ennoble us by unfaltering devotion which shames the stifling things born of self. O Zion, hasten to bring to our Nation the blessings of insight, accuracy, and creative power for the future. May we be resolutely determined to make our land the citadel of upright, patriotic citizens, lifting it out of the wilderness of strife and confusion into the folds of peace. We pray in the name of Him who walked the troubled waters of sin and sorrow and opened the way to wide horizons where there is strength and power in the courts above. Amen.

The Journal of the proceedings of Friday, February 1, 1946, was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies.

1. Department of Agriculture.
2. Department of Commerce.

3. Department of Commerce (Coast and Geodetic Survey).

4. Department of Justice.

5. Department of the Navy.

6. Department of War.

7. Federal Works Agency.

8. National Archives.

9. National Housing Agency.

10. Office of Price Administration.

11. Office of Scientific Research and Development.

12. Petroleum Administration for War.

13. Surplus Property Administration.

14. United States Railroad Retirement Board.

### SWEARING IN OF MEMBERS

Mr. J. LINDSAY ALMOND, JR., and Mr. SAM J. ERVIN, JR., appeared at the Bar of the House and took the oath of office.

### EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one an article that appeared in Look magazine and in the other an editorial that appeared in the Boston Sunday Post.

Mr. WALTER asked and was given permission to extend his remarks in the RECORD and include an address by the Under Secretary of the Navy.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD in two instances and to include in one an address delivered by Mr. Claudius Dickson, of Shreveport, La., and in the other remarks of Mr. Harry Johnson, of Shreveport, La.

Mr. DOMENGEAUX asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one a letter written to the Secretary of Agriculture by various Members of Congress and in the other an editorial from the New Orleans Item.

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include a letter from the Governor of Louisiana addressed to the Governor of Ohio.

Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include a telegram from Thomas Kennedy, secretary-treasurer of the United Mine Workers of America.

Mr. SIKES asked and was given permission to extend his remarks in the RECORD.

Mr. DOUGHTON of North Carolina asked and was given permission to extend his remarks in the RECORD and include a letter from Hon. Edwin Gill, Commissioner of Revenue of North Carolina, to Hon. O. Max Gardner, Chairman of the Advisory Board on War Mobilization and Reconversion, and his reply.

Mrs. LUCE asked and was given permission to extend her remarks in the RECORD and include copies of certain resolutions passed by chapters of the DAR condemning the action of the Washington board in connection with its exclusion of Negro artists from Constitution Hall.

### LABOR LEGISLATION

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, on Friday I addressed the House and outlined briefly the terms of a substitute bill which I shall offer to the Case bill at the proper time. I merely want to say at this time that I have copies of that bill, which is H. R. 5328, and will be glad to furnish any Member the text of that proposal. It is a piece of legislation constructive in nature, which can be enacted into law. I earnestly hope for careful consideration of it, and that Members will take the trouble to look it over before that time comes.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. Will the gentleman tell the House at what point in the RECORD and of what day his remarks explaining the bill appear?

Mr. VOORHIS of California. Page 751 of the RECORD of Friday, February 1.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Illinois.

Mr. CHURCH. Is the bill of which the gentleman is now speaking practically the bill introduced by Senator McMAHON?

Mr. VOORHIS of California. A considerable part of it, but it also has provision for the final settlement of disputes over grievances, over contract interpretations, and so on, patterned on the Railway Labor Act, as the last section of the bill. There are also 10 other provisions in my bill which do not appear in the McMahon bill, which I shall explain when I have time.

### VETERANS' ADMINISTRATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should like to bring to the attention of the Members of the House something they may want to know.

That is, that for 4 months the Veterans' Administration offices were told by the War Department not to request AGO or medical reports because the office furnishing these reports was moved from High Point, N. C., to some place in Missouri.

So, for 4 months, these reports badly needed by the Veterans' Administration before they could adjudicate claims were not to be had.

When I discovered this condition and learned what had happened, I was very active in having the Veterans' Administration request that they be allowed without further delay to request and receive these AGO records. Thereupon